THE Public Interest

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The College and the City
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BOOKS IN REVIEW: *Francis Fukuyama* on the therapeutic society • *David Skinner* on smoking • *Roger Starr* on the Okies

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Enforcing "statutory rape"?

MICHAEL W. LYNCH

WHEN I was growing up, there was a saying, 'Sixteen will get you 20,'" remembers Eloise Anderson, director of California's Department of Social Services. "Sixteen" is a girl's age; "20" is the number of years an adult male would spend in prison if he had sex with her. For years, statutory-rape laws languished in disuse. But recent studies show that a significant proportion of teens are impregnated by adult men, prompting politicians to once again apply such laws, which remain on the books in all 50 states. At the federal level, last year's welfare-reform law called on states and localities to "aggressively enforce statutory-rape laws."

In the Golden State, Governor Pete Wilson created a program to do just that. Since its start in 1995, California's Statutory Rape Vertical Prosecution Program, which provides grants to counties to prosecute statutory rape, has convicted more than 1,454 offenders, with 5,000 more under investigation. The program is netting few teenage lovers. According to Michael Carrington, who ran the program until recently, the

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typical scenario involves a 13-year-old mother and her 25-year-old male partner. Some counties won't even prosecute statutory-rape cases unless there is a five-year age gap between partners. One such county is San Diego where, after a year and a half of prosecution, the average male offender is 25.7 years old; the average girl, 14.4 years.

Yet, in the Washington policy circles where teen pregnancy is studied, such programs have had a very cool reception. One reason for this is ideological. Liberals instinctively dislike the idea of using criminal law to solve social problems. And conservatives fear that an overreaching state, fueled by exaggerated media reports, will prosecute people for victimless crimes. Meanwhile, so-called children's advocates amass data, reinterpret studies, and challenge the assumptions behind efforts to punish adults who impregnate young girls. They are campaigning to convince policy makers and the public that applying these rape laws won't reduce teen pregnancy. By such efforts, some valid assertions have been made, but also some statistical sleight of hand.

Young fathers, younger mothers

Beginning in the mid 1980s, researchers began uncovering data that undermined the assumption behind teen sexuality programs, that teen pregnancies were the unintended consequences of sex between teenagers. In 1989, *Family Planning Perspectives*, the peer-reviewed journal of the Alan Guttmacher Institute which specializes in fertility issues, published an article that focused on the partners of teen mothers in Baltimore. While the article, "Fathers of Children Born to Young Urban Mothers," found that most partners of teen mothers were under 20, it did find evidence of an age gap. "On average, the fathers of all infants born to white teenage women were four years older than were the mothers, and those of infants born to black teenage mothers were 2-3 years older," the study reported. Such an age gap isn't shocking, considering that it is customary for women to date and marry slightly older men. But later research revealed that the two- to three-year average underestimated the age differences for the youngest girls.

In 1992 and 1993, U.C.-Irvine graduate student Mike Males published a series of studies in scholarly journals that showed

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significant age differences between these unwed, underage mothers and the fathers of their children. In 1996, an article in the *American Journal of Public Health*, "The Ages of Fathers in California Adolescent Births, 1993," pretty much shattered the assumption that teens were impregnating teens. Examining California data, Males and his colleague Kenneth Chew reported that "adult post-school men father two thirds of the infants born to school-age mothers and average 4.2 years older than the senior-high mothers and 6.7 years older than the junior-high mothers." More alarmingly, they found that the younger the girl, the wider the age gap. Roughly half of the babies born to 15-year-old mothers were fathered by adult men no longer in school. In addition, a 1995 article in *Family Planning Perspectives*, "How Old are U.S. Fathers?" found an average age gap of four years between mothers aged 15 to 17 and their partners.

Such data effectively refuted the notion that girls 15 and younger were pregnant because their male classmates didn't have easy access to condoms. Earlier studies showed that teenage mothers with much older partners are often victims of sexual assault as children. "The possibility that such early childbearing represents an extension of rape or sexual abuse by male perpetrators averaging one to two decades older remains a serious question," Males and Chew wrote.

Playing both sides

The New York-based Alan Guttmacher Institute plays prominent roles on both sides of the debate over teen pregnancy. Its 1995 journal article, "How Old are U.S. Fathers?" which first noted the substantial age gap between teenage mothers and their partners, was written by two of its in-house researchers, David Landry and Jacqueline Darroch Forrest. "Half of the fathers of babies born to women aged 15-17 were 20 years of age or older," they wrote. "On average, 15-17 year-old mothers were four years younger than their baby's father." Landry and Forrest concluded that "the mean age difference shows generally that the younger the mother is, the greater the age difference between her and her partner." They warned that "this type of age difference suggests, at the least, very different levels of life experience and power, and brings into

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question issues of pressure and abuse." They also pointed out that since two-thirds of babies born to mothers aged 15 to 17 are fathered by adult men, "some of the assumptions underlying many of the programs and policies aimed at reducing teenage pregnancy and childbearing are not correct."

Landry and Forrest's study was fact based, containing little of what can be interpreted as political spin. Yet looking back, it is clear that others at the Guttmacher Institute and their allies in the field of teen-pregnancy prevention originally welcomed these data as a justification for expanded government programs—programs that would provide outreach to these disenfranchised and misguided men who were impregnating young girls. What they got out of a Republican-dominated Congress and Republican-dominated statehouses, however, was stepped-up emphasis on putting such men in jail. Delaware, Florida, Georgia, and California recently revived efforts to enforce statutory-rape laws. Lawmakers in other states, including Pennsylvania and Texas, are pushing proposals to do so.

It was the empirical findings on pregnant minors with older partners that reinvigorated statutory-rape-law enforcement. In order to arrest the states' rush to the courts, it became imperative for Landry and Forrest's colleagues at the Guttmacher Institute, and their political allies elsewhere, to discredit these statistics. In the spring of 1997, a group of Urban Institute researchers published an article in the Guttmacher Institute's *Family Planning Perspectives* to recast the data. In "Age Differences Between Minors Who Give Birth and Their Adult Partners," the authors, Laura Duberstein Lindberg, Freya L. Sonenstein, Leighton Ku, and Gladys Martinez, note that there is a big difference between a 19- or even an 18-year-old having a baby with a 20- or 21-year-old man and a 14-year-old having a baby with the same man.

"While a 25-year-old man fathering a child with a 15-year-old would probably meet with social disapproval," Lindberg et al. argue, "the same might not be true for a couple consisting of a 21-year-old and an 18-year-old, particularly if they were married." They then note that women aged 18 to 19 account for nearly two-thirds of teen pregnancies (62 percent), and these pregnancies cannot be the result of statutory rape, even if the father was an adult. As a result, statutory-rape laws can affect

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only a bit more than one-third of all teenage births. Of the remaining 38 percent, Lindberg et al. report that roughly 21 percent meet the definition for statutory rape, which is typically a minor girl at least five years younger than her partner.

Motherhood and the new math

Lindberg and company's main empirical conclusion, which has been amplified in another study, is that "overall, among births to 15-19-year-olds in 1988, only 8% involved unmarried women aged 15-17 and men who were at least five years older." From this, the authors derive a major policy conclusion:

> New state and federal initiatives that emphasize the vigorous enforcement of statutory-rape laws are unlikely to be the magic bullet to reduce rates of adolescent childbearing, since the number of births that result from acts covered by such laws is small. Policymakers need to pay attention to broader means of reducing teenage childbearing, such as sexuality education, youth development and contraceptive services.

Even if the 8 percent figure is an accurate presentation of the problem, one appropriate question might still be, So what? "Why wouldn't we be concerned about just one child who was involved in this type of relationship?" asks California's Anderson, referring to the girls in the 15- to 17-year-old range. "It doesn't matter to us if there is one or a million. For us, the issue is that the guy is breaking the law, [the mother] is powerless, and the outcome of this relationship is detrimental to society."

But, in fact, the 8 percent finding misses the mark by a factor of nearly three. Lindberg et al. produced this low number by excluding the partners of mothers aged 18 to 19 from their calculations, on the reasonable ground that these men cannot be prosecuted for statutory rape. But then, they include these same 18- to 19-year-old women in the pool when calculating what percentage of babies born to teenage mothers have partners at least five years older. Thus 62 percent of the fathers are removed from the numerator while their partners are included in the denominator. "When it is convenient to put them in the equation to minimize the problem of older males, they put them in the equation," says U.C.-Irvine's Mike

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Males. "When it is inconvenient, they take them out. They have generated a soundbite figure, the 8 percent, that is the least justified, but they are making it the most prominent."

A more honest approach would focus on the relevant group: mothers aged 17 and under. (Actually, since the age of consent is 16 in many states, girls under 16 would be the relevant pool. But the data, in their present form, are not aggregated in a way that would allow this analysis.) If you pull out all the adults, and even the married minors, Lindberg et al.'s data show that 21 percent of babies born to minor girls—an astonishing one in five—were fathered by men at least five years older than the mothers. Deviating little from the previous studies, Lindberg et al. also found that the "youngest mothers in the sample were the most likely to have a partner five or more years older." Four in 10 babies born to 15-year-old girls were fathered by a man who was at least 20 years old.

In June 1997, these findings made their way into a summary report released by the privately funded National Campaign to Prevent Teen Pregnancy, a Clinton-inspired effort to reduce teen pregnancy by one-third by 2005. The report, "Not Just For Girls: Involving Boys and Men in Teen Pregnancy Prevention," was written by Theodora Ooms, a researcher at the Family Impact Seminar, a Washington-based institute that examines family issues. Ooms's paper is based on a "roundtable meeting of scholars, practitioners, and policy officials" which sought to "get the facts straight about the age between teen girls and their male partners and to explore the lessons being learned from the growing number of efforts to target males in teen pregnancy prevention."

In the first section of her paper, Ooms summarizes the results of the studies outlined above. After detailing the stark findings of the earlier studies, she notes that sensational media reports, led by the *New York Times*, "created considerable public alarm and compelled some states and communities to launch initiatives to enforce statutory-rape laws aggressively." Relying on Lindberg et al.'s findings, Ooms stresses that births to girls with much older partners constituted only 8 percent of all births to teenagers. "Put another way," she writes, lest the point be passed over, "the teen mothers who have so captured the public's attention—those under 18 who are un-

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married and have a much older partner—constitute less than one in ten of all teen mothers."

Questions of objectivity

Ooms's paper attracted little attention, since it merely repackaged old studies and reported on a meeting of unnamed scholars. But it was tied to the release of another study that reported new data. This study, "Partners, Predators, Peers, Protectors: Males and Teen Pregnancy," was also commissioned by the National Campaign to Prevent Teen Pregnancy. The co-authors were from Child Trends Inc., a Washington-based nonprofit that researches issues affecting children. They analyzed newly available data from the Department of Health and Human Services' 1995 National Survey of Family Growth, which collects information on pregnancy and childbearing. The study focused on the first sexual experience of teenage girls: Was it voluntary? How old was her partner? Was contraception used? The Child Trends study found that nearly two-thirds of the first sexual partners of teenage girls were within two years of the girl's age and that nearly three out of four couples were going steady at the time. Sixty-nine percent of girls welcomed their first sexual experience.

Strangely, for a study tied to the Ooms paper, the data paint a picture strikingly similar to the findings of the older studies, even though they deal with first sexual experience as opposed to pregnancy. As in the previous studies, the data diverge by age. The younger the girl, the less likely her partner would be sharing a school, much less a classroom, with her. The study reports that "only 18 percent of girls who were younger than 14 when they first had sex had a partner who was within a year of their age; this was the case for 37 percent of teens who were 14-15 years at first sex, and for more than half of teens who were 16 years or older." The data on which the study was based show that 35 percent of girls 15 or younger first had sex with a partner at least three years older. Nearly one in five 13-year-olds lost her virginity to a man at least five years her senior. In addition, the study found that the wider the age difference, the less likely the couple would use contraception (79 percent for same age and 66 percent for difference of five years).

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The data from the Child Trends study confirmed that the youngest girls are most vulnerable to the predatory acts of older men. The larger the age gap, the more likely sex was unwanted by the girl. While 26 percent of girls who first had sex with someone of the same age reported it as unwanted, 37 percent of girls whose partner was five or more years older did. Nearly 40 percent of 13- and 14-year-old girls reported their first sexual experience as unwanted; for those who had sex younger than 13, more than 70 percent reported it as unwanted.

The Child Trends study clearly adds to our understanding of teenage sexual activity, but the decision to tie its release to Ooms's paper, in which the data merely spun previously released studies, raises questions of objectivity. A spokesman for the National Campaign to Prevent Teen Pregnancy which commissioned the paper, John Hutchins, says one of the "key goals" of the expert roundtable and Ooms's paper was to examine the issue of statutory rape. "We didn't see the release of these reports as being corrective of these other studies," he says. "We don't dispute what they say. We just wanted to tease out what they meant." But the data are sure to disappoint those who want to make the case that the problem of statutory rape is of minor significance. All available data consistently show that the younger the girl, the older the man. And since it is the youngest girls whom government has the greatest interest in protecting, attempts to muddy the issue with creative statistics run contrary to the realities of teenage pregnancy and the interests of the youngest teenage mothers.

Even the smallest number that can be produced—Ooms's "less than one in ten"—still begs the question: Why shouldn't we care about one in ten? In 1994, about 393,000 babies were born to unmarried women 19 and under. At 8 percent, more than 31,000 of these babies fall into Ooms's "less than one in ten" category. In that year alone, 12,000 babies were born to unmarried women under 15 years old. The data indicate that 40 percent of these babies are the result of unions with a significant age gap. That's 4,800 babies. What California's Anderson wants to know from those researchers who are questioning statutory-rape laws is, "Would they sanction their daughter, who is 15, being impregnated by a guy who is 27? Or is

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this something that we sanction for other people's children?"

Will it work?

Realizing that this battle will never be won by data alone, opponents of statutory-rape enforcement are advancing other arguments. Chief among them is the contention that these unproven programs may generate unintended consequences, making them worse than doing nothing at all. The Guttmacher Institute's Patricia Donovan made this case in the January/February issue of *Family Planning Perspectives*. In "Can Statutory Rape Law Be Effective in Preventing Adolescent Pregnancy?" Donovan draws heavily on interviews with "law enforcement officials, reproductive health care providers, women's rights activists and policy analysts" to put forth what seems to be the prevailing liberal view of teen pregnancy, and of why statutory-rape laws will not work. As Michelle Oberman of the DePaul University Law School explains in Donovan's paper, "Adolescent child bearing is the result of an intricate web of factors, including limited opportunity, entrenched poverty, low self-esteem and many other issues that statutory-rape laws do not address." Circumstances, not individual decisions, generate unfortunate outcomes. In this view, adult men who pursue intimate relationships with minor girls are not responsible for getting them pregnant.

But, while intellectuals argue about root causes, most everyone else should be able to see the value in giving meaning back to the term "jailbait." Donovan recognizes this, quoting California officials who predict that their program, in time, will deter offenders. But she is unconvinced: "The enforcement strategy is only likely to work if the men it targets—and their young partners—know that these relationships are illegal." Donovan then quotes law-enforcement officials who claim that "predators know they aren't supposed to have sex with someone underage." But for balance, she quotes pregnancy-clinic administrators who claim that "very few know the rules."

It may be true that many 25-year-olds don't know they aren't supposed to have sex with 14-year-olds. But this doesn't mean that they won't get the message after an acquaintance, or even an acquaintance of an acquaintance, winds up in jail. This is what Carla Grabert, deputy district attorney in California's Kern

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County, is discovering, after a year and a half of prosecuting men for statutory rape. "The first time I talked to teen dads on probation, only a few knew there were laws against sex with minors," recalls Grabert. "Now when I ask the boys, 100 percent raise their hands. The word is getting out."

In any event, Donovan's article tries to play both sides of the issue. One of the arguments she advances against the law-enforcement approach is that it would prevent young girls from seeking pregnancy services. This may well be the case in some circumstances, and it is certainly a concern worth addressing; it is probably the reason that no state has mandatory reporting by health providers. But this can only be the case if the girls know that the sex in which they are engaging is illegal. Thus Donovan's argument holds that 15-year-old girls will know relevant details of the laws to which their twenty-something sexual partners are oblivious.

Yet another argument is that enforcement of these laws will put loving and supportive fathers in jail. The short answer to this objection is discretion by law enforcement. Each case need not be prosecuted, and, in questionable cases, juries might not convict. What's important to keep in mind is this: If we threw away all laws against sex between adult men and minor girls out of a misguided fear of jailing supposedly loving fathers, parents would be unable to protect their teenage daughters from the designs of older men.

Drawing a hard line and prosecuting every individual who crosses it would be no less detrimental. There will always be cases where families are supportive of the couple doing the right thing—getting married and raising the child. Researcher Mike Males—who can hardly be accused of being soft on the issue—estimates that only 10 to 20 percent of prosecutable cases should be prosecuted. It is of course problematic to openly advocate that law-enforcement officials selectively enforce a law. Inconsistent enforcement undermines respect for the rule of law and leads to charges that prejudices based on race, class, or other inappropriate criteria are driving enforcement decisions. To minimize abuses of power, citizens must always monitor law enforcement.

The California program shows how such discretion can be used wisely. Prosecutors, who claim to work closely with so-

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cial-service providers, say that the threat of prosecution is often used to ensure that the man does not simply abandon the young mother and his child. In fact, sentencing recommendations include "establishing paternity; paying support; [and] attending parenting classes." The program provides prosecutors with wide discretion, and the focus has been on cases with the largest age gaps.

The state's law has three categories of statutory rape. Any sex with a minor (under age 18) is a misdemeanor. If the minor is three years younger than the adult, the case can be handled as either a misdemeanor or a felony. In cases where the adult is at least 21, and the minor no older than 15, prosecutors still have discretion between misdemeanor and felony charges, but the felony charges carry longer sentencing guidelines of up to four years in prison.

For those made nervous when prosecutors are afforded excessive discretion, a highly publicized Wisconsin case offered no reassurance. There, an 18-year-old man who had impregnated his 15-year-old girlfriend—as a result of consensual sex—was tried and convicted as a sex offender even though he was planning to marry the girl. Those welcoming strictly drawn legal lines want to make it more difficult for zealous or ambitious prosecutors—who may, for example, be seeking higher conviction rates—to target men as rapists when they have pregnant girlfriends.

Such problems have yet to arise in California. As noted in Donovan's paper, Orange County social-service workers often recommend marriage as a viable alternative to statutory-rape prosecution. While this is often controversial—as one might expect in the case of a 20-year-old marrying a 13-year-old—such flexibility undermines the argument that enforcement will, on balance, make matters worse for both the girl and her baby.

In defense of predators

Researchers like Donovan appear bent on proving to skeptics that these men are not social pariahs. They want to rehabilitate the "predatory male" in the public mind, to transform him from a victimizer to a man who is himself a victim of society. Lindberg et al.'s study concludes with a call for policy makers to eschew the stick in favor of the carrot. "The disin-

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centives [to sex with minors], such as expanding the reach and increasing the penalties of statutory-rape laws, have already been advanced," they note. "Improving access to economic opportunities and achievement for disadvantaged men may be an equally important avenue to try to discourage adult sexual involvement and childbearing with minors."

The same people who are willing to absolve men of their responsibility want to heap a larger burden on the pregnant girls. In her penultimate paragraph, Donovan writes that, according to pregnancy-service providers, "it is not uncommon for adolescent women to pursue adult men," noting that adult men are more likely than the girls' schoolmates to "have a job, a car and money to spend." Thus it is the girls who should be the focus of government opportunity programs. Donovan concludes that these girls continue to seek out older men until they "have access to good schools and jobs and develop a sense that their lives can improve." This may well be so. And while a district attorney may not take note of a 17-year-old pursuing a 20-year-old, the purpose of enforcing a statutory-rape law is to ensure that the same 20-year-old resists any attempts for affection by a 14-year-old. The purpose of the law is to make clear that it is the responsibility of the adult to act like one.

Donovan and Lindberg et al. also seek to rehabilitate the "predatory male" by showing that he is often an active participant in the young mother's life. As a proxy for the quality of the relationship, they look at cohabitation patterns. Lindberg et al. note that 35 percent of pregnant minors reported living with their partner during most of their pregnancy. Nearly half were living with their partner at the time they were interviewed for the study, which was as long as 30 months after the birth.

One problem with these data is that they don't distinguish 17-year-olds living with 22-year-olds from 15-year-olds living with 24-year-olds. More to the point, they say nothing about the circumstances under which the couples were living. The data say even less about the troubling issue of consent: Is a 14-year-old girl capable of living with a 22-year-old man in a consensual relationship?

Carla Grabert, the district attorney who runs the statutory-

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rape program in California's Kern County, prosecuted a case that illustrates this problem. A local girl was living with a man 14 years her senior. Physical abuse caused her to lose her first child. At age 16, she was pregnant again. This time, she decided, things would be different. On the condition that she obey household rules, her family took her back in. She had the baby. The father was convicted of statutory rape and sentenced to two years. Happy to have escaped the relationship, she is now in college and speaking to other teenagers about her experience. This case is certainly not typical, either in age breakdown or sanguine outcome, but it illustrates an important point: Living together, in and of itself, does not prove that a minor mother and an adult man are in a mutually beneficial relationship.

Prudent, moral, and just

In the final analysis, opponents of statutory-rape laws simply distrust using the criminal code as a form of social control, a view with a healthy tradition in America. But some acts, such as theft, fraud, and violent aggression, strike the vast majority of Americans as inherently criminal and therefore worthy of criminal sanctions. Few people would place a consensual relationship between a 17-year-old girl and a 19-year-old boy in this category, and any laws that attempt to do so will surely languish in the same disuse that marked statutory-rape legislation for many years. But nearly everyone would place a relationship between a 13-year-old girl and a 20-year-old man in the criminal category. Thus the debate is over where to draw the line and what to do once the line is drawn, not whether to draw it in the first place.

The other fear harbored by those who oppose enforcing statutory-rape laws is that the new criminal focus will drain resources that could otherwise fund what they consider to be more humane social-outreach programs. But statutory-rape and social programs are not mutually exclusive. Anderson says she would be happy to have a law that no longer needs to be enforced because a social program eradicated the problem. Proponents of expanded social programs for adult males who impregnate young girls should expend their energy making the

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case for these programs based on their own merits, rather than engaging in a futile effort to attack a public policy that has not yet been demonstrated either a success or a failure.

The critics are, no doubt, correct to point out that enforcing statutory-rape laws will not fix America's problem of teen pregnancy and out-of-wedlock birth. But most Americans will still probably feel that statutory-rape enforcement makes sense. It is simply prudent, moral, and just to build barriers to adult sex with minor girls.

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The case against teacher certification

DALE BALLOU AND MICHAEL PODGURSKY

THE system by which the nation trains and licenses its public school teachers recently came under sharp attack from an organization called the National Commission on Teaching and America's Future (NCTAF). In its 1996 report, *What Matters Most: Teaching for America's Future*, the commission charged that public schools employ large numbers of "unqualified" teachers, largely as a result of inadequate and poorly enforced standards for teacher training and licensing. The report was greeted as a "scathing indictment" of the current system and was widely publicized by the media.

What is the NCTAF? Its name notwithstanding, the NCTAF holds no "commission" from any elected official. It is a private organization, funded by the Rockefeller and Carnegie Foundations. Although the NCTAF claims that its report is not the work of education insiders, the largest block of members comes from major education organizations and education schools, including the two major teacher unions, the National Education Association (NEA) and American Federation of Teachers (AFT).

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Remarkably, for a body that claims to represent the public interest on issues of education policy, the commission also includes leaders of private organizations that have a direct and substantial financial stake in the adoption of the commission's recommendations, among them the National Council for Accreditation of Teacher Education (NCATE) and the National Board for Professional Teaching Standards.

The NCTAF plan

The commission blames current conditions on state education departments and many teacher education programs:

> Because most states do not require schools of education to be accredited, only about 500 of the nation's 1200 education schools have met common professional standards. States, meanwhile, routinely approve all of their teacher education programs, including those that lack qualified faculty and are out of touch with new knowledge about teaching.

As a remedy, the NCTAF offers a sweeping plan to "professionalize" teaching, shifting control of accreditation and certification from local school boards and state education agencies to private education organizations. The commission's recommendations do not specify the curriculum of teacher training programs or the content of licensing examinations. Rather, the NCTAF would empower groups of education professionals to set standards for how teachers will be trained, tested, hired, and promoted. It will be up to these professional organizations to determine the curricular reforms needed to upgrade the teacher work force.

A key element of the commission's program calls for all teacher education programs to meet "professional standards" or be closed. By this, the commission means obtaining accreditation from NCATE. While all education schools must currently meet the standards required for accreditation by their state department of education, most do not obtain, or even try to secure, the approval of NCATE.

The commission also calls for establishing an independent professional board in every state to set standards for teacher licensing. In most states, teacher licensing (certification) requirements are currently set by state education departments.

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By contrast, in law and medicine these standards are set by professional boards composed of respected practitioners. NCTAF proposes similar boards for teachers in order to set higher standards for teaching and to "create a fire wall between the political system and standards-setting process."

The commission's proposals extend to the assessment and compensation of experienced teachers as well. They call for states to establish goals and incentives for National Board Certification in every state and district, with the aim of certifying 105,000 teachers in this decade as "master teachers," one for every school in the United States. Teachers seeking this recognition submit portfolios for evaluation to the board (located just outside Detroit). The portfolios include videotapes of their teaching, lesson plans, and samples of student work. These materials are reviewed by "experts"—moonlighting teachers trained by the board. Teachers are also required to take a test at a regional site. Input from supervisors or parents is not solicited.

Remarkably, there has been very little public discussion of the merits of these recommendations. While the NCTAF's report received wide coverage in the media when released in the summer of 1996, the heaviest publicity was given to the commission's claims that public schools were employing large numbers of poorly trained and poorly qualified teachers. Given this, the commission's proposals to strengthen teacher training and licensing seemed uncontroversial, if not irresistible. Thus the commission succeeded almost at once in setting the terms of public debate about the way the nation will recruit and train new teachers.

The NCTAF remains active, vigorously promoting its proposals. It has issued a state-by-state report card grading states on their efforts to "professionalize" their teaching work forces, an effective device for pressuring states with low scores to accede to NCTAF demands. According to a commission press release, 11 states have formed "partnerships" with the NCTAF to "create programs and policies advancing [NCTAF] recommendations."

Recent activity within the federal government indicates that the NCTAF's influence is growing. The commission has worked closely with legislators in the current session of Congress on

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bills affecting teacher training and recruitment. Thirty-five million dollars in federal funds have been spent to support the efforts of the National Board for Professional Teaching Standards to certify master teachers. President Clinton's 1998 budget proposes $105 million more over the next five years.

The U.S. Department of Education has just awarded a $23 million contract to the University of Maryland and 25 partner organizations to build consensus on teaching and teacher training. This consortium will study states that are implementing NCTAF recommendations and, on the basis of this study, will disseminate information about "best practices." Among other tasks, the consortium will determine whether teachers certified by the National Board are more effective. This is surprising for two reasons. First, it is an admission that the administration is spending taxpayer dollars to promote an organization whose ability to identify good teaching—let alone promote it—is still in doubt. Second, the National Board for Professional Teaching Standards is itself one of the consortium's 25-member organizations. Indeed, the NCTAF and the principal organizations aligned with it are all members of the consortium, a circumstance that strongly compromises the objectivity of the forthcoming "study."

Not enough teacher training?

As economists who have studied labor markets for public and private school teachers, we have serious doubts about the direction in which the NCTAF proposals would take public policy. The NCTAF has misdiagnosed the problem of teacher quality. Many of the commission's proposals would do little or nothing to improve teacher performance. Indeed, the policies advocated by the NCTAF hold considerable potential to do harm.

Fourteen years ago, a prolonged debate about education quality in the United States was set off by the report of the National Commission on Excellence in Education, *A Nation at Risk*. This report called attention to the poor academic performance and weak cognitive skills of many teachers. College board scores of education students were below nearly all other majors and had been declining in relative terms through the 1970s. Too many graduates of teacher education programs did

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not understand the subjects they were teaching.

This concern is all but forgotten by the NCTAF, which focuses not on recruiting more talented people into the profession but on improving teacher training. The distinction has important implications, not least for schools of education. If the nation needs to recruit more talented people into the teaching profession, policies should be shaped with that end in mind. Such policies might well include ways of opening the profession to capable individuals who have not completed formal teacher training.

However, a rather different set of policy prescriptions emerges if it turns out that the problem with the teacher work force is simply inadequate training. If teachers need to be better trained, it is to schools, departments, and colleges of education that the nation will presumably turn, pouring in resources, strengthening requirements, and ensuring that state-of-the-art practices are disseminated throughout the community of teacher educators. True, some teacher training programs may be closed down, if they prove unable to upgrade themselves. But this would represent a transfer of resources within teacher education to the better programs, not a flow out of the professional education community. Education schools would play a larger role, not a smaller one, in shaping the teaching work force.

Given the composition of the commission, it is not surprising that it embraces more teacher training. But, in making its case, the NCTAF distorts the evidence on teacher qualifications, claiming, for example, that "in recent years, more than 50,000 people who lack the training required for their jobs have entered teaching annually on emergency or substandard licenses.... Twelve percent of all newly hired teachers have no training [in pedagogy and teaching methods], another fourteen percent enter without having fully met state standards."

Our own tabulations of the data failed to reproduce the commission's statistics. The most recent national survey to investigate the issue found that only 4.6 percent—not 12 percent—of newly hired public school teachers had taken no courses in teaching methods. The commission's claim that districts have been hiring 50,000 new teachers each year with emergency or substandard certificates is an even greater exag-

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geration. In fact, about 16,000 new public school teachers and instructors held "temporary, provisional, or emergency certificates" in 1991-92.

Even these figures overstate the problem, since, with the passage of time, unqualified teachers are either dismissed or make up their deficiencies. As a result, "unprepared" teachers constitute a negligible proportion of the entire work force. In 1993-94, fewer than 2 percent of all public school teachers held emergency or temporary certificates, the two principal "substandard" licenses.

Finally, teachers may be hired on emergency or temporary licenses because they are *better qualified* than fully licensed candidates. This possibility does not appear to have occurred to the NCTAF, which attributes these decisions to administrative incompetence or misplaced priorities. But consider the qualifications of new science teachers hired on substandard licenses. Of the 39 respondents to the latest national survey who fell in this category, 27 had a degree in one of the sciences. This ratio exceeds that for science teachers overall and strongly suggests that districts exploit loopholes in standard certification requirements to offer employment to individuals with superior subject-matter preparation.

Meanwhile, what has the commission to say about the academic competence of the work force? The NCTAF report is silent on this issue except for this remarkable assertion:

> Talented recruits are entering schools of education in record numbers. Due to recent reforms, both standards and interest have been steadily rising. By 1991, graduates of teacher education programs had higher levels of academic achievement than most college graduates, reversing the trends of the early 1980's.

A reader encountering this statement would probably assume that it referred to scores on the ACT, the SAT, or other standardized achievement tests. In fact, the commission's evidence for this proposition consists solely of self-reported college grade-point averages obtained from a series of Department of Education surveys of recent college graduates. Because the average GPA of education majors is higher than engineers, the commission concludes that education majors have higher levels of academic achievement.

This is preposterous. The commission ignores differences

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in grading standards familiar to virtually everyone in higher education. The average grade awarded in the education courses taken by 1992-93 graduates was 3.41 on a four-point scale. By contrast, the average in social-science courses was 2.96. In science and engineering it fell to 2.67. Yet science and engineering majors have significantly higher college board scores than education majors.

Misguided standards

By entrusting the accreditation of teacher education programs and the standardization of licensing requirements to professional organizations, the NCTAF expects to enhance the training that prospective teachers receive in pedagogical methods. Such training will reflect "state-of-the-art practices," "incorporating new knowledge" and an evolving "knowledge base for teaching" that makes clearer than before just what teachers should be doing in the classroom. Language of this kind is disconcertingly familiar. Public education in the United States has been marked by numerous waves of enthusiasm for newer and better methods that turn out to be passing fads. The succession of these fads does not inspire much confidence in the ability of education schools to ground their curricula in a reliable research literature. Indeed, the organization that the commission would entrust with the accreditation of teacher education programs—the NCATE—refers in its manual to "evolving standards," suggesting that this pattern of swinging one way and then the next may not end with the adoption of the NCTAF proposals.

Organizations that belong to this accrediting body have issued standards that are highly controversial and of dubious educational value. One of the constituent members of the NCATE is the National Council of Teachers of English. This council has been a major proponent of "whole language" instruction for reading in the primary grades—a teaching strategy that has come under withering attack from other educators and parents who are demanding that their confused children receive instruction in phonics. A similar process of rejection seems about to begin for the guidelines recently issued by the National Council for Teachers of Mathematics—another NCATE constituent organization. These guidelines, re-

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flecting the predilection for "student-centered learning" that is popular in schools of education, have appalled many parents and educators who have described the results as "warm, fuzzy mathematics" and "rain-forest algebra." A requirement that teacher preparation programs be accredited by the NCATE could put such organizations in a position to insist that all reading and mathematics teachers be trained in methods widely rejected by the public and questioned by many educators.

The NCTAF report blithely ignores these controversies. Instead, the commission assures us that graduates of NCATE-accredited programs will be better prepared than non-NCATE teachers for the challenges of the classroom. They will supposedly stay in the profession longer and will exhibit a higher degree of professionalism in their relations with students and colleagues. The NCTAF report contains no evidence to support these claims. As far as we can determine, they are not true. Using data from surveys conducted by the Department of Education, we have compared NCATE to non-NCATE teachers on a number of dimensions related to professionalism and career commitment. There were no statistically significant differences between the two groups. Perhaps more revealing, there is no evidence that those hiring new teachers think so either. The percentage of non-NCATE applicants who found a teaching job was as high as among NCATE applicants. The jobs they received paid as well.

NCATE has accredited teacher education programs in some of the least selective institutions of higher education in the country. Thirty percent of the teachers who graduated from NCATE-approved programs attended colleges that were rated less than "competitive" in Barron's *Profiles of American Colleges*. Since the "competitive" category is not in fact very selective, one thing seems clear: Whatever the requirements for NCATE accreditation, rigorous admission standards are not among them. The academic ability of students graduating from a teacher education program plays virtually no role in determining whether the program will be accredited. While NCATE requires that a program use a test to screen applicants for admission, it does not specify the test to be used or the passing score.

Criteria for successful completion are even more vague,

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emphasizing process, not outcomes. For example, NCATE stipulates that "a candidate's mastery of a program's stated exit criteria or outcomes [be] assessed through the use of multiple sources of data such as a culminating experience, portfolios, interviews, videotaped and observed performance in schools, standardized tests, and course grades." This requires that program administrators use various means of assessment, not that graduates be held to any particular standard, since the exit criteria themselves are left up to the program or to state regulations.

Many schools and departments of education have shown by their decision to forgo NCATE accreditation that they do not believe this stamp of approval is of great value. Having failed a market test, NCATE and its champions are now pressuring state legislatures to require NCATE accreditation. The list of NCATE-accredited colleges suggests that politics are at least as important as educational quality in determining whether a school is accredited. Where governors have led, colleges have sought and obtained accreditation. Thus every college in North Carolina offering a teacher education program has obtained NCATE accreditation. In Arkansas, all but two have it. By contrast, New York has 103 state-accredited programs, but only three accredited by NCATE. Massachusetts has 61 state-accredited institutions of which only eight hold NCATE accreditation. All are non-selective institutions. The state's selective private schools, such as Harvard, Boston University, Brandeis, Smith, and Mt. Holyoke, are not NCATE accredited.

The problem with certification

The NCTAF's proposals would restrict the choices of both prospective teachers and school boards, as the licensing and accreditation standards it endorses would raise barriers to entry. For example, mandating NCATE accreditation could make it more difficult for talented undergraduates to become teachers should the cost of acquiring accreditation drive small liberal-arts colleges from the market. Programs that serve only a few students a year would be particularly vulnerable, leaving the supply of teachers to be dominated by large diploma mills.

The NCTAF endorses reforms that would require prospec-

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tive teachers to take more courses, prolong their formal education, and devote more time to pre-service training in the form of induction programs and internships. This will have the greatest deterrent effect on those who place the greatest value on their time, including workers who are contemplating career changes. The practical experience and maturity of many of these individuals make them attractive candidates for teaching. Precisely for this reason, many states have adopted alternative certification routes that relax the standard requirements for certification, facilitating the entry of such persons into the profession. Yet the NCTAF, while nominally endorsing the concept of alternative certification, is generally opposed to programs that would reduce pre-service training. The NCTAF prefers that career changers spend a year or more in a post-baccalaureate program before they begin to teach.

Requiring more pre-service training would tend to screen out prospective teachers who have the interest and ability to pursue other careers, but who will find it hard to keep these options open while completing additional education courses. As a result, the applicant pool will be increasingly dominated by those who never thought of themselves as anything but teachers. Notice that this would have precisely the opposite effect of other policies that are intended to improve the quality of the teaching pool, for example, raising salaries. It is the very purpose of such policies to draw into education persons who are wavering between two careers. By contrast, increasing teacher-certification requirements discourages those who have attractive alternatives to teaching.

Teaching is not medicine

The NCTAF frequently resorts to argument by analogy, comparing teaching to medicine. The medical profession is largely self-regulated. Doctors put in years of training in medical school and residencies before achieving full professional standing. They must pass rigorous licensing examinations. Why should we expect less of teachers?

The case for licensing in medicine rests partly on the premise that consumers cannot make well-informed decisions concerning the quality of medical services. There is a complex body of specialized medical knowledge that medical consumers can-

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not be expected to know. The NCTAF continually draws comparisons to the "clinical" model in medicine and asserts that a similar body of specialized clinical knowledge exists in education. Let us see.

The following question on clinical practice was prepared by the National Board of Medical Examiners.

> A previously healthy 33-year old man has abdominal pain that he describes as steady with occasional cramping. His aunt, uncle, and cousins have had similar episodes. His abdomen is distended, and bowel sounds are decreased. Neurologic examination shows mild weakness in the upper arms. His urine is a faint reddish color. These findings suggest a defect in the biosynthetic pathway for
>
> A. collagen
> B. corticosteroid
> C. fatty acid
> D. heme
> E. thyroxine (T_4)

The next question is taken from the Praxis test for teachers developed by the Educational Testing Service—a test used by many states for teacher licensing.

> A third-grade student who is attempting to draw a spaceship stops drawing and asks the teacher to draw it. Of the following teacher responses, which would best provide for this student's continued learning and growth?
>
> A. Drawing the spaceship for him so that he can continue his picture
> B. Having the student observe models of spaceships and giving him some pointers about drawing
> C. Asking the best student artist to provide help
> D. Having another student draw the spaceship for him
> E. Assuring the student that the drawing is fine for his purpose

We suspect that few readers who are not medical professionals knew that the answer to the question on abdominal cramping was "E" or even understood the choices. By contrast, using common sense, virtually all readers were probably able to figure out the answer to the clinical teaching question (B). There is a body of expert knowledge informing clinical practice that doctors should know and that they can be tested on. The NCTAF has not established that anything like this

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exists in the field of pedagogy. Questions like the foregoing from the Praxis examination expose the pretensions of teacher professionalization.

Even if one supposed that teaching rests on a body of expert knowledge that consumers lack, the medical analogy breaks down for the further reason that parents do not purchase the services of teachers. School districts purchase these services for parents. Not only are principals and other school administrators trained professionals, they are also in a position to observe the teachers they hire directly, enjoying access to better information than any licensing agency. In fact, many teachers have previously taught at the schools that hire them as student teachers or as substitute teachers.

Of course, similar intermediaries stand between consumers and the medical professionals who treat them (though most consumers retain some choice of primary-care physicians). But this underscores another important difference between medicine and teaching. The NCTAF seeks legislation to require school districts to hire teachers who have completed NCTAF-approved training. In the field of medicine, however, it is the purchasers of medical services—hospitals, clinics, etc.—not the state, that have been the moving force behind the adoption of credentials for physicians. A state license is merely the beginning for most doctors. Nearly all practicing physicians and surgeons must also hold certification from one of the 24 national specialty boards. This has come about because the major actors—hospitals, insurance companies, and HMOs—have insisted that the doctors whom they hire or contract with be board certified.

A question of control

Enacting the NCTAF agenda would only serve to strengthen the position of the education establishment against parents and children in the making of public policy. Behind the NCTAF and NCATE are the National Education Association and the American Federation of Teachers, whose interest in restricting teacher supply is so obvious that it is astonishing that anyone would contemplate giving these organizations the right to determine who will be allowed to teach. Of the current 31-member NCATE executive board, seven are union appointed.

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All examining teams sent to colleges include at least one teacher drawn from a pool of examiners selected by the NEA and AFT.

Unions also provide financial support for the professional organizations that would be empowered under the NCTAF proposals. The NEA's 1997-98 budget contains $366,600 for NCATE. The same budget contains $306,550 to support the certification through the National Board of Professional Teaching Standards and $213,765 to support efforts "to make licensure ... a process controlled by the profession."

For all the discussion of higher standards and improved training, the NCTAF's recommendations are fundamentally about control. The NCTAF would turn over the accreditation of teacher preparation programs to NCATE. Licensing examinations would be prepared by the Interstate New Teacher Assessment and Support Consortium (INTASC), another private professional organization. The National Board for Professional Teaching Standards would decide who qualifies as a master teacher. Overseeing and guiding all of this activity would be independent professional boards whose members would be drawn not from the public's elected representatives but professional education organizations.

It is naive to think that the impact of these changes would be limited to improving the training teachers receive (if it would even accomplish that). Prominent members of the commission and organizations aligned with the NCTAF have a vested interest in opposing charter schools and other forms of school choice, as well as alternative certification programs that bypass traditional teacher training. The prospects for such reforms will be much bleaker if power is taken from elected officials who are increasingly responsive to the public's demand for genuine accountability.

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The college and the city: then and now

NATHAN GLAZER

THE City College of New York celebrated its 150th anniversary during the current academic year. It also celebrated progress in the $85 million restoration of the grand collegiate Gothic structures that the city erected for its free college 90 years ago. It reopened the Great Hall, a magnificent cathedral-like space graced with a huge mural and with stained glass windows celebrating the major American colleges at the time of its construction.

Below the Great Hall there was once a lunchroom, whose alcoves became famous because of some of the undergraduates who hung out in them. (Some of the alcove denizens, including the two founding editors of this journal, and the author of this article, also an editor of this journal, are the subjects of the recently released documentary, *Arguing the World*, which begins in the alcoves of City College.) The old lunchroom is now a large drafting room for the CCNY archi-

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tecture school. The original buildings of City College remind us of the pride the city took in its college, and of its ambitions for it. It was not to be inferior in its facilities to the best colleges in the country. But in this celebratory year, City College, and the City University of New York (CUNY) of which it has become a part, is under sharp attack.

New college, new role

The complaints begin with the revolutionary program of "open enrollment" that was introduced in 1970 in response to a minority-student protest movement that closed City College. The program provided every graduate of a New York City high school with admission to one of the CUNY institutions—either a four-year senior college, such as City College is, or one of the many community colleges that had been created in the postwar period. Old graduates, current faculty, and the city's media, were not happy with the program of open enrollment. The senior city colleges, which include, beside City College, such well-known institutions as Hunter, Brooklyn, and Queens colleges, had been very selective institutions. They became, in the wake of open enrollment, much less selective. Their fame was based on the quality of their students and the subsequent accomplishments of their graduates in many fields. What would be the effect of a sharp drop in the quality of entering students? American institutions are rated more by this factor than by anything they actually do for students. No matter that open enrollment was a tradition in most public college systems. For City College, it was seen as a disaster.

And this celebratory year of 1998—it is also the 100th anniversary of the creation of Greater New York City out of Manhattan, Brooklyn, and many other communities—began with an assault on CUNY by the popular Mayor Rudolph Giuliani because of the poor quality of its students, its large investment in remedial courses for its underprepared students, and its low graduation rates. The City College of the past, the hope seems to run, must be and can be restored. But can it? Should it? Is the College of then, of a glorious past, really a possibility in the city of now? I think not. And I would argue that despite that, there is an important role for the college, and it is the role that it must take up in the city that New York has become.

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Those of us who refer to the College of "then" can have only one "then" in mind, the College before the storm of open enrollment broke upon it in 1970, in the wake of the agonizing conflicts of 1969. For the city, there was also a "then," before 1970, very different from today. That point in time did not mark as sharp a break in the fortunes and character of the city as it did for the college, but an enormous change in the life of the city was being signaled.

Probably no one involved in the dramatic events of 1969 and 1970 thought much about the fact that our immigration laws were changed in 1965, and that the change came into effect in 1968. No one involved in that change in our immigration laws thought it would greatly affect the number and character of immigrants coming into the United States. The volume of immigration was then small, and was expected to remain small. European relatives of long-settled Americans were expected to be the beneficiaries of the new law. But the law, combining with changes in Europe, then basking in prosperity, and other changes in Mexico and Latin America and the Caribbean and East Asia, led to an unexpected increase in immigration. During the 1960s, and increasingly in the 1970s and 1980s, the immigrant stream rose, and changed, and New York again became a great city of immigration. New York had experienced a hiatus of 40 years during which immigration was low or nonexistent. We thought that hiatus was normal. No one expected New York City would again become a city of immigrants. It has.

Other changes also transformed the City. Inevitably, they were also to transform the College and its mission. Three changes strike me as most important: The change in the population of the city, owing to immigration; the change in its school system; and the change in our society. All of these have had enormous consequences for the college.

The new immigrants

What strikes us most sharply when we view the city of the late 1990s contrasted with the city of the late 1960s is the dominance of great waves of immigration from the Caribbean, Asia, Latin America, and Eastern Europe. The city of "then" was still a city predominantly of people of European origin.

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The census of 1960 showed that persons of European origin, "non-Hispanic whites" as the census now inelegantly dubs them, made up three-quarters of the city. And the rest were African-American and Puerto-Rican-American citizens, many of whom were recent migrants but not immigrants. The immigrant of the 1960s was typically old, someone who had migrated before the 1920s. The numbers of recent immigrants, even in the wake of World War II, and its devastating impact on so many European groups and countries, was quite small.

The immigrant then represented the past rather than the present or the future. We were a city of European ethnic groups, of the Irish and Germans and Jews and Italians. When we talked of the "balanced ticket" in the 1960s, what we thought of balancing were the Irish, the Italians, and the Jews, though the older white Protestant groups still had an important and honored role. In this balancing act our political system was trying, with some success, to make place for African Americans and Puerto Ricans, who had only recently become substantial groups in the city.

The ethnic and religious conflicts of the city of the 1960s are now in large part history. Those varied groups of Europeans are homogenized in most of our statistics and analyses and consciousnesses into one group, "non-Hispanic whites." Today, the proportion of non-Hispanic whites has dropped from the three-quarters of the 1960s to something like two-fifths. It will drop further, as immigration into the city continues at the rate of over 100,000 a year, primarily from the Caribbean, Asia, and Latin America, with only a small proportion from Europe. Nor can one see anything on the horizon—either changes in the countries that provide our immigrants or changes in our laws—that will alter that situation.

The impact of this change on the College has been profound. When I attended City College, about 15 years after the ending of the great wave of eastern and southern European immigration, everyone, as far as one could tell, was native born or had come to this country as young children. One did not hear foreign accents. (There were various forms of "New Yorkese," which the college's required speech courses tried to root out.) No foreign languages could be heard in the corridors. There were no programs for speakers of foreign lan-

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guages. That condition prevailed until the great change of 1970 and after. The contrast with the college of today is overwhelming. Half of the students have been born abroad. Substantial resources are devoted to teaching English to those who do not speak it well and to improving the ability of students to read and write English, many of whom were born and raised in this country.

Many critics of the college find that deplorable. They envisage a college that remains in character with the traditions that prevailed before 1970. The predominance of immigration is one reason that the old college cannot be resuscitated. If the college ruled out new immigrants with serious problems in English—and those with the perhaps more serious educational weaknesses of our native city students, which I will discuss later—it would be a very small college indeed. Those who could fill it simply are not there anymore. Nor do I believe the college could survive as a publicly supported college if it insisted that it would devote no resources to those who could not manage English at the level of the pre-1970 entrant, or who could not perform academically at the level of the pre-1970 entrant.

Present-day immigration presents problems, for the city and the college, but it also presents opportunities—opportunities that the old European immigration did not offer. The immigration of today includes large numbers who have more education than the average American, as well as those who have considerably less. The first group is hardly a problem: It is often a solution. Immigrants who have achieved a high level of education abroad provide a good part of our hospital staffs, our doctors and nurses, our engineers and computer programmers. Even those who cannot get work in skilled professional occupations can use their education effectively in retail and wholesale trade and in services. Their children, even if they initially have deficiencies in English, are one of the strengths of the college today. They come from homes in which education is seen as the key to progress, and in which children are typically encouraged to compete academically. Indeed, these immigrants have often come to New York specifically because of the opportunities it offers in education for their children. For despite the disastrous character of our public schools, and

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the problems of our public colleges, the city provides educational opportunities far surpassing what is available in many of their native lands.

But it is true that many immigrants do not enter with higher- and professional-level education. These can find only low-paying jobs and have added disproportionately to our welfare population. We see the effect of this oddly bifurcated immigrant stream in our public schools. On the one hand, in our selective high schools, and in some others, New York City still provides some of the best educated students available anywhere. As we know from lists of achieving and prize-winning students—the Westinghouse science award winners and others—these students are, today, disproportionately from immigrant families or are immigrants themselves.

But on the other hand, the new immigrant students, coming into the public schools at a rate of 30,000 or more a year, are also a burden. Many must be taught English, and many do not have the home support that is characteristic of the successful immigrant child. They are being added in great number to a public educational system that for reasons we do not fully understand has become, for the most part, a disastrous failure.

My school: yesterday and today

This change in the school system, to my mind, has had the greatest immediate effect on the College. The public colleges of the city exist primarily to provide college-level education to the graduates of the city's high schools. The city of "then" had a remarkably successful public school system. New York City's public education was, until the 1950s, a model to the nation and the world. I went through this educational system. I attended schools in East Harlem and the East Bronx, in areas that were among the poorest in the city, but these schools were nevertheless successful schools.

The high school I attended was a non-selective neighborhood high school, in a poor working-class section of the East Bronx. The year I graduated, it was the subject of a long article by the great journalist Sam Lubell in the *Saturday Evening Post* (which is why I have access to some facts about it then). It claimed to be the largest high school in the world,

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with 10,000 students. Size was then a point of pride. Today, it would be considered a horror. Almost 2,000 students graduated each year, which crudely suggests a four-year completion rate of 80 percent, far above what we find today in our nonselective high schools. Graduation in four years was considered the norm. Hundreds of graduates of the school regularly earned Regents diplomas, the academic diploma that prepared for entry to college, and went on to the city colleges, of which CCNY was then the most selective.

There was nothing unique about my high school, James Monroe. There were many such high schools in the city then. A few years ago, I visited my old high school. The neighborhood had not changed visibly. The high school was still there. It was now reduced to a few thousand students. It took in 900 freshmen and graduated less than 200 a year, which suggests a disastrous completion rate. But it was proud of its facilities for babies of its students. Shortly after my visit, the *New York Times* featured a story on a graduate of James Monroe who had been admitted to Harvard, the first apparently in living memory, possibly the first in history. The story reported that only three graduating students in his year had Regents diplomas. Not long after, a chancellor who wanted to reform the public schools announced that this high school, along with a few others, would be closed as a failure and reorganized. Other high schools are being closed and reorganized—such as Erasmus—which were once models of successful mass education.

What happened? All the easy explanations fail. It is the school bureaucracy, we are told. But the New York City public schools were even more bureaucratic when they were successful. Or, school leadership has declined. But the New York City school superintendents then were gray and colorless men. They had worked their way up the school bureaucracy in anonymity and served until retirement or until they died in office. Today, we scour the country for the most energetic and creative chancellors we can find—and change them every two or three years. Other explanations of big-city school failure are that the schools are too large and that the children do not get the attention they deserve. But the schools were once much larger. Or, we are told, the children come from working-class and poor families. But they came largely from poor

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families then too. Or, it is said, the schools cannot manage the heavy burden of immigrant and non-English-speaking children. But, as I have reported, many of the most promising students today are from immigrant and non-English-speaking homes. And the failure of the public schools is even greater among native African Americans. It cannot be difficulties in learning English that are the primary cause of our school failures.

One explanation that does makes sense is that the quality of the teachers has declined. During the Depression, being a public school teacher, elementary or high school, was a very good job, and the quality of teachers was undoubtedly higher. Further, teaching was for a long time the favored occupation of able women and often the only professional occupation open to them. That changed as women's attitudes changed and as law and medicine and business opened up to them in the 1960s and 1970s.

There are other popular explanations. One is that the unions have become too powerful and serve the interests of their members rather than the interests of the children. There may be something to that, but staff associations were not that weak when the schools were better. Another explanation, as we know, is that the schools have become politicized, by which is meant that teachers and principals are appointed not on the basis of tested merit but on the basis of political connections. It is true that another major change that took place in 1969 was the decentralization of the public schools into partially self-governing community districts. This has, alas, contributed to the depreciation of professional qualifications and increased the importance of "connections." Many of these school districts developed a well-deserved reputation for corruption. Getting and holding jobs became more important to their leadership than any educational objective.

There is something to that explanation. In the days when New York City public schools were the pride of the city, they were remarkably free of politics. The schools are not even mentioned, for example, in the huge biography of Mayor LaGuardia by Thomas Kessner. The mayor had nothing to do with the selection of the school superintendent, and the superintendent was automatically reappointed until retirement. I will confess

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not to understand how an institution that provided important jobs and resources then, as it does now, was so well protected from politics and patronage. It would be a mystery to any current political scientist, and should be studied.

Whatever the explanation, the effects of the huge change in the public schools on the city colleges are disastrous. Where are they to get qualified students if only three graduates of James Monroe High School have Regents diplomas? And when we read that the teachers trained by the city colleges fare worst in state exams, we are sadly not surprised. The best qualified students do not typically go into teacher-training programs.

I do not want to leave this discussion on such a despairing note. It is possible to do better. The public high schools, spurred on by the City University, are trying to institute more demanding required courses of a college preparatory type, and indeed, we do see an increase in the number of students who take such courses and who should thus be better prepared for college. But we have had false dawns of hope for improvement in the public schools so many times in the past 30 years that one cannot be too confident that the schools are on an upward curve.

Social pathology

It is the third big change in the city that I think best explains what has happened to the public schools. This is the change in social conditions in the city—the rise of illegitimacy, of single-parent families, of dependency, of drugs and crime. The city went from being the pride of our society to the depository of many of our most dramatic social problems. The city had, by many measures, as many poor then as it has today. But there was a stability in the family that would today strike us as idyllic. Mayor Giuliani, in his State-of-the-City address, reported that more than half the children in the city today are born out of wedlock. Recall that when Daniel P. Moynihan started a national uproar with his famous report on the Negro family in 1964, the illegitimacy rate among blacks was under 25 percent, among whites a fraction of that. One cannot overestimate the effect of this enormous change on the schools.

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Consider: When I went through the New York City public schools, there were no lunchrooms in the elementary schools or in the junior high schools. It was assumed that children would eat at home, and there was a home and a mother to provide lunch. At best, schools provided a carton of milk (for which students, even the poorest, paid a few cents). Today, the majority of New York City schoolchildren are eligible for free lunches, and, in our more advanced schools, that provision of food applies to breakfast too. Hardly anyone in my experience ate lunch in high-school lunchrooms; if necessary, we brought our sandwiches from home. The school is now forced to serve a feeding and nurturing role, not because of poverty—we had as much poverty then—but because of the collapse of the family. One of the saddest things I saw on my recent visit to James Monroe was the school facility for its students' babies. It's an excellent facility, but what a tragedy that it's needed in a high school.

The college cannot escape the consequences of this huge social transformation. Its students come from far more troubled and dangerous environments than they once did. They have to deal with unimaginably difficult family circumstances. Many of them already have families, long before they have completed their educations or can support a family. One of the most striking statistics illustrating the change from then to now is the impact of welfare reform in reducing the number of students in the City University. Undoubtedly, many students in the City College of then came from families that were on welfare. But recall that welfare at the beginning of the 1960s was a rather modest affair, encompassing perhaps 5 percent of the population. By the 1970s, that had ballooned to more like 15 percent. The students of college age then were not on welfare in their own right but as parts of families. Many of the students of today, who are older than students in the pre-open enrollment era, receive welfare as adults and as parents. The new welfare reform that requires them to work has led to a substantial decline in the number who can continue in college. And so the number of students in the City University on welfare has dropped from 27,000 to 14,000.

I have finally to refer to a change in the world of higher education in general which has deeply affected the City Col-

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lege. Then the poor bright New York City boy or girl who wanted to go to college had really only one possibility: the city colleges. One reason was that he was poor. Another was that there was a good deal of discrimination in private colleges and universities and professional schools against those who made up the largest part of aspiring New York City college-goers, Jews. Today, circumstances are entirely different. The Ivy League colleges come looking for poor bright students who are African American or Puerto Rican. That James Monroe student who went to Harvard was recruited; they came looking for him. And as a Harvard student, he was sent back by Harvard, at Harvard's expense, to recruit among other poor minority students in the Bronx. Elite private colleges compete today, which they did not do then, for bright students of any background. That is a wonderful thing for our society and for the prospects of our minorities. It is not so wonderful for City College, which confronts a competition that didn't exist then.

A matter of geography

I note one other change that has affected the fortunes of City College particularly, while helping some of its competitor senior colleges in CUNY. This is the change in the social geography of the city and how we understand that geography. The City College of the past was not located in an upscale neighborhood, but neither was it considered a poor neighborhood. The New York middle or upper-middle class then encompassed large sections of Manhattan and the nearby Bronx not far from City College. These neighborhoods are now considered poor.

Today, it would be hard to understand why a handsome complex of museums was built on 155th Street, 15 blocks north of City College, why New York University built a grand campus in the West Bronx, why Yeshiva University was located up in the 180s, why so many of New York's great cultural institutions and colleges and universities were located where they now are. Neighborhoods change, and institutions suffer the consequences of those changes. There was a time when even the great Columbia University, only a mile to the south of City College, despairing over the changes in its neighborhood, pondered a move. The Juilliard school of music was

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once located less than a mile south of City College; it has now moved south on Manhattan to Lincoln Center. The High School of Music and Art was once located in a school building close to City College; it is now also in Lincoln Center. The Museum of the American Indian was once located on 155th Street. Some of it has now moved to the old Customs House at the foot of Manhattan, and most of it is moving to Washington. City College is now referred to as being in Harlem. It was not considered Harlem when I attended.

As a result, I believe, its sister senior colleges have certain advantages. Hunter is on the fashionable East Side; Baruch is in the rapidly improving Madison Square area; Queens is within reach of the large middle-class population of that borough. Manhattan has imploded, with many of its cultural and educational institutions preferring the crowded center to its northern reaches, leaving City College, in the mind of the New Yorker, marooned, too far north at 138th street. This undoubtedly has some effect on who chooses City College against other senior institutions of CUNY.

A good report card

So the world has changed, the city has changed, and City College has had to change to keep up. Yet, despite all these changes, City College and CUNY are far from the basket cases the media, the mayor, and the institution's critics describe. Much of the criticism directed against CUNY, including the recent criticism of Giuliani, is misguided and uninformed. Much is made of very low graduation rates. But these rates are, of course, affected by the quality of the entering students and by the nature of the institutions included in CUNY. The great majority of students attend CUNY's community colleges, two-year institutions, and many of these students are in vocational and career programs. In these programs, failure to "graduate"—that is, gain an associates' degree—does not necessarily mean nothing has been gained from the work done.

City College and its sister institutions are too often contrasted with the college of the past, or with elite institutions today, rather than with the urban public institutions of today. And compared to the latter, CUNY does not look nearly so bad. David E. Lavin, with Richard Alba and David Hyllegard,

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has been conducting important research on CUNY since the beginning of open enrollment. He reports in his most recent study, co-authored with Hyllegard, that "current graduation rates from the university, though diminished relative to the 1970s, are comparable to national rates for public colleges." He compares graduates of the entering class of 1980, at a time when the quality of the incoming students had sharply declined from the early days of open enrollment, with a national sample of students around 1980. He found six-year graduation rates in the CUNY 1980 cohort comparable to six-year graduation rates of the college entrants in the High School and Beyond data set, a longitudinal survey of 1980 high-school sophomores and seniors sponsored by the National Center for Education Statistics.

One would never know from all the criticism that City College today, as then, has tough and demanding programs, for example, its Engineering Division. These programs compare well with any in the nation, and many students graduate from them. One would know nothing of its very good school of architecture. One would not know from this criticism of the very large numbers of graduates who go on to graduate work in good institutions, which suggests City College and CUNY graduates are taken seriously by graduate institutions. One would not know from this criticism that City College during the 1990s has been awarding each year between 2,000 and 2,500 undergraduate and graduate degrees, which is what one would expect for an institution of its size.

The easy answers that are proffered to make City College more like the college it once was ignore the realities of change in the city and the reality of change in the world of higher education. Open enrollment was a shock to the city, and to the colleges of the City University, when it was introduced, but it has been considerably modified over the years, and entry into the senior colleges is more restricted than in the early days of open enrollment. Some people, including Giuliani, think abandoning open enrollment is a solution of some sort. But open enrollment is a reality in higher education throughout the country. Our huge community-college systems admit any high-school graduate in most states.

There are indeed serious questions that have to be ad-

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dressed by the College and the City University. How much remedial work should be conducted by the senior colleges and the community colleges? Where is such work best done? What can be done about the large teacher education programs that do so poorly in preparing teachers for state certification tests? How can the college avoid, in its humanities and social-science programs, the nonsense that unfortunately is so widespread and well-entrenched in higher education today?

There are undoubtedly other questions and problems that are important. Much is made of how long it takes students to complete work for their degrees, and how many do not. There is no question that it would be desirable if students were able to move through the college faster, and if more of them eventually earned degrees. But I recall that, even in my days, there were working students who took many years to earn a degree at night. We rightly considered them heroes for undertaking college under such arduous circumstances. Working has become the norm for students today.

Nor am I sure that the student who drops out and never earns a degree, and we know there are many of these, gains nothing from his or her college experience. That is a subject worth researching. I recall a visit to a large Midwestern open-enrollment state university in which I was told that one-third of the freshmen were flunked out each year. But they were for the most part happy for the year they spent in college. I also recall that it was two City College graduates on the faculty, with a reputation of giving out the tough grades, who made sure that the incompetent students flunked out. David Lavin quotes a story from the *New York Times* on an institution in which grade inflation has led to the disappearance of the F and the near disappearance of the C. He then tells us that the story is about Stanford (it could be about Harvard, Princeton, and other elite institutions.) There are still, in contrast, many grades of C and lower, even failing grades, at City.

A country of second chances

Probably City College and its sister senior institutions in CUNY have been too generous in extending a college opportunity to students who cannot benefit from it, whose level of preparation is simply too far below what is necessary for college. That generosity has been restricted in recent years, and

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is still being restricted, by the substantial reduction in financial support for City College from the state. But the United States has always been the country of the second chance. One's fate here is not determined by an 11-plus exam as in England, or by one's high-school record, or even one's college record. One can always try again, and City College gives many students the opportunity to try again. How long that second try should be open, and whether it should be extended to a third try and beyond, are questions that have to be considered seriously by college administrations and faculties, and Giuliani and the critical press are making sure that they are being considered.

But the dream of a college in which a very well-prepared student body enters at 17 or 18 and gets out in four years with a degree, the college of then, can only be a dream in the city of today and in the world of higher education of today. In the world that exists, a college must roll up its sleeves and deal with those who want a college education as best it can. From all I see, this is what the College is doing today. Fortunately for the college, the city still produces so many bright and able and ambitious and hard-working students that it can continue to be a college that serves the city and these students well. In so doing, it links the college of then with the college of today.

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Sports stadium boondoggle

MARK F. BERNSTEIN

THE Miami Heat of the National Basketball Association think that their home stadium is obsolete. Their claim is rather presumptuous, given that the $53 million Miami Arena was built to the Heat's specifications and is only eight years old. No matter: Build us a new arena, the Heat threatened, or we will move. Fearful of losing their team, Miami politicians capitulated and promised to build a new $165 million arena at taxpayers' expense. Only a public protest forced them to withdraw their offer, so the Heat will now finance the stadium themselves. However, usually the public is only too willing to pay.

The Florida Panthers of the National Hockey League, who share the Arena with the Heat, also threatened to move unless they got a new, taxpayer-subsidized arena. Neighboring Broward County was happy to oblige. Spurred by visions of having its own pro team, Broward agreed to build the Panthers a new $212 million home, to be paid for, in large part, by tax-exempt bonds. Within nine years, Miami taxpayers will have

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built three new stadiums for their four pro teams, even though three of the teams are owned by Wayne Huizenga, the multimillionaire founder of Blockbuster Video.

We are, as former National Football League Commissioner Pete Rozelle once put it, in an era of "franchise free agency." One can scarcely open the sports pages without reading about a city that is forced to accept a newer and more generous stadium deal. In this decade alone, 30 new professional sports facilities have been built at a cost of more than $4 billion, and, according to Fitch Investor Services, at least 40 more, costing another $7 billion, are being planned. In November 1996, voters in Houston, Miami, and Detroit approved bond issues worth almost $1 billion to construct new stadiums that would either keep their pro teams or lure new ones. *USA Today* estimates that $4 of every $5 in stadium construction now comes from public sources. Yet the fans who build these palaces are not always the ones who get to enjoy them. Few can afford the seat licenses or luxury boxes needed to watch the team play in person. Those who can go will pay more for everything from a hot dog to a parking spot.

Politicians who otherwise would not dream of raising taxes eagerly boost local sales taxes, cigarette taxes, car-rental and motel taxes to repay the debt incurred in building new stadiums. To its detractors, the result is one of the most egregious examples of corporate welfare; but defenders say that this is the price of an intangible civic asset called "major league" status. Ten years ago, Charlotte was not considered a "big league" city, but now in some measure it is, because the NFL and NBA have put franchises there. Whether or not this makes sense, cities believe it. Cleveland felt it had lost something when its football team, the Browns, moved, and fought desperately to get a new team. In the words of Baltimore Ravens owner Art Modell, the man who moved the Browns in the first place: "The pride and presence of a professional football team is far more important than 30 libraries."

Cash cow

A team's most visible link to its home city is its stadium. Earlier in this century, most professional teams played in privately built stadiums, but a tradition of public largess began

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in the 1950s. Cities began to build publicly financed stadiums, which became a key negotiating point for any team thinking of moving. Almost all the baseball teams that moved in the 1950s did so on the promise of playing in a publicly built ballpark (in a market they did not have to share), even though that often meant moving to a smaller city. Even the Dodgers, for years the most profitable team in the National League, left Brooklyn for Los Angeles, lured in part by a stadium constructed on free southern California land. Cities built these new stadiums, but the teams that used them helped defray the cost by paying substantial leases. Teams and the city split parking and concession revenue. The multi-use "cookie cutter" stadiums built in the 1960s and early 1970s were economical, if ugly. They could be reconfigured for football or baseball, depending on the season.

Two events in the mid 1970s greatly accelerated the pace of change. In 1976, Congress revised the tax code so teams could no longer write off player contracts as a business expense, a practice that had created a tax shelter just by virtue of owning a team. With the loophole closed, teams needed other sources of revenue in order to make ownership pay. The second important change was player free agency, which developed first in baseball, later in the other sports. Free agency created genuine competition for players and dramatically raised their salaries. In order to pay those salaries, teams needed more revenue. They became more aggressive in merchandising, changing logos and uniform styles more often. They began to license NBA-logo bed sheets, NHL pencil erasers, and NFL credit cards.

The best way to raise money, though, was to get a new stadium, because the revenue it generates does not have to be shared with other owners. Although each sport has its own rules, TV broadcasting revenues and gate receipts generally are shared with the rest of the league. But a team keeps everything it can take in from luxury boxes, stadium advertising, parking, and concessions. Teams no longer would accept multi-purpose stadiums if it meant sharing revenues with another tenant, such as the local baseball team. Furthermore, a new stadium can enrich a team even if attendance does not increase because ticket prices in the new ballpark are almost always more expensive.

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Once a team gets a new ballpark, it becomes important to squeeze more money out of it. Properly milked, a stadium can be a significant source of revenue. In 1995, for example, the Pittsburgh Steelers earned $1.3 million in revenues from Three Rivers Stadium while the Dallas Cowboys reaped $39.8 million from Texas Stadium (both older stadiums). Teams made money off their stadiums in increasingly innovative ways. They created "personal seat licenses," a several thousand dollar fee that merely confers upon the buyer the right to buy a season ticket. Another was the expansion of premium seating and luxury boxes, which can rent for as much as $250,000 a year in Boston's Fleet Center. Teams also raised millions by selling the right to name their stadiums. San Francisco's Candlestick Park, for example, is now 3Com Park, named after the software company. They squeezed in more advertising, circumventing natural limitations on the amount of available billboard space by slapping ads around the boards or even under the ice in hockey rinks. Many stadiums now feature rotating advertising signs along the sidelines or behind home plate, which change after each batter.

The cartel effect

The best way to extract money from a stadium is to make the public build it. Teams have this leverage over a city because professional sports leagues—the NFL, NBA, NHL, and Major League Baseball—are cartels. Cartels make money by ensuring that supply—in this case the number of teams—is less than demand. This artificially boosts the value of franchises and the leverage each can exert. As MSNBC analyst Keith Olbermann puts it, "If you can always turn to Uncle Nashville [for a better offer], you will always be able to threaten your current city."

Now, as it happens, leagues vigorously oppose attempts by owners to move their teams. After all, cartels fall apart if members cut their own deals rather than share with others. However, with the notable exception of baseball, leagues have been powerless to block franchise relocations. When the NFL, in 1984, tried to stop the Oakland Raiders from moving to Los Angeles, the Raiders sued the league and won a $50 million antitrust judgment. Neither the NFL, NBA, or NHL

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has blocked a franchise move since.

"Teams say to cities, in essence, 'Give us $100 million or we'll take away your status as a major league city,'" argues baseball writer and historian Bill James, who calls the practice "a classic, textbook case of abuse of monopoly power." Even teams that don't move are able to extract improvements or better lease terms. In their book, *Pay Dirt*, James Quirk and Rodney Fort explain why teams have such leverage:

> The fundamental fact of life concerning stadiums and arenas is that once they are built, they are fixed in place, while the teams that use them are potentially mobile. This puts an enormous bargaining advantage in the hands of teams playing in publicly owned stadiums. Teams can exploit the threat of leaving a city to wring out of the manager of the stadium rental agreements that leave the city pretty much holding the bag.

Because stadiums and salaries grew ever grander, this process accelerated even though several arenas built in the last decade were privately financed. The public's share of stadium costs has actually fallen, from about 90 percent in the 1970s to about 60 percent today, but the total cost has risen astronomically. Free agency for players also contributed to the cartel effect of stadium construction. For, with free agency, players gained a stake in preserving the sports cartel. Players benefit from the shortage of teams as much as owners do, insofar as a shortage of teams means that the value of those players who have jobs increases.

Unintended consequences

Attempting to fix the problem, Congress has only made it worse. States and cities have long issued bonds to finance new construction projects. These bonds are attractive to investors because they are backed by the credit of the government issuing them, and because the interest they earn is not taxed. In the early years of this century, however, states and cities began to issue bonds that did not finance the construction of strictly public buildings. Some bonds were issued to help private businesses, such as building an office park or a new factory. Federal law placed no restrictions on the purposes for which tax-exempt bonds could be issued until 1968. Then, in

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order to ensure that such bonds really did benefit taxpayers, two classes of bonds were established. "Governmental bonds," which served purely public functions, remained tax exempt. "Private activity bonds," which aided private businesses, were taxable. But certain types of private-activity bonds—including those for sports facilities—were excluded and thus tax exempt.

Congress became concerned that too much public money was being spent to build new sports stadiums. So in the 1986 Tax Reform Act, Congress made two important changes to the tax laws as they affected professional sports teams. First, it tried to limit even further the use of municipal bonds that benefited private businesses by lowering the threshold for tax exemption. Henceforward, a bond was tax exempt only if less than 10 percent of the revenues went to a private business and the business used the facility less than 10 percent of the time. Second, sports facilities were removed from the list of exempt private-activity bonds.

The thinking was that these changes would end public financing of sports facilities. All stadium bonds were now government bonds, and Congress guessed that governments would stop issuing them because they could no longer use stadium revenues to pay off the debt. Thus they would have to be paid with general revenues. As New York Senator Daniel Patrick Moynihan, the man largely responsible for these changes, explained years later, "Who would have thought that local officials, in order to keep or get a team, would capitulate to team owners—granting concessionary stadium leases and committing limited government revenues to repay stadium debt, thereby hindering their own ability to pay for schools, roads and other public investments?"

But that's what they did. Congress misjudged not only the importance of professional sports to fans but also the power of the sports cartels. Foreclosed from raising money through tax-exempt private-activity bonds, team owners simply insisted that cities finance the ballparks with government bonds. Politicians, desperate to acquire that "big league" image, or fearful of losing the local team on their watch, caved.

The 1986 Act exacerbated the problem in another way. Because sports teams always used their stadiums more than 10 percent of the time, the only way to keep the tax exemption

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was not to use stadium revenue to pay off the debt. If those revenues could not go to the state, they had to go to the team. Congress effectively required cities to allow sports teams to keep the gusher of revenues that came from personal seat licenses, luxury boxes, naming rights, and concessions.

The pride of a stadium

Teams defend these arrangements by boasting of the tremendous financial boost new stadiums bring to their cities. New stadiums create jobs, they say, for the construction workers who build them, the ushers and concessionaires who work in them, and the restaurateurs who go into business around them. Stadiums, defenders say, can also revitalize downtowns, citing Baltimore's Camden Yards or Denver's Coors Field as examples of urban renaissance. But many of these claims are questionable. Pro football teams play only eight regular season home games a year. How much can a $200 million stadium bring to a city if it sits unused 357 days a year? And, if stadiums are as lucrative as they are supposed to be, why don't more teams build them themselves?

"Professional sports are an insignificant part of a large city's economy," argues Lake Forest College economist Robert Baade. Certainly, the record of several new stadiums belies the claim that they are money makers. Cleveland's magnificent Jacobs Field may be sold out for every game, but Cuyahoga County, which guarantees its debt, has already paid more than $23 million to cover arrears, and, according to *Barron's*, may have to pay $70 million more over the next 16 years. Toronto's SkyDome had huge cost overruns. A few cities that have tried to lure pro teams with what might be called the Field of Dreams tactic ("If you build it, they will come") have found themselves stuck with white elephants. St. Petersburg's 45,000 seat Sun Coast Dome sat empty for years before finally luring an expansion baseball team, the Tampa Bay Devil Rays. In the meantime, it served as a very large hockey arena.

One reason stadiums lose money is because they are overbuilt. "The problem with publicly financed stadiums or arenas," Quirk and Fort maintain,

> is that typically teams play a major role in making capacity and

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> other stadium construction decisions, without being responsible for construction costs. This leads to 'gold plating' of publicly financed facilities, including the construction of stadiums with excess capacities, relative to what would have been built under private financing.

Stadiums are also a hugely inefficient way of creating jobs. According to a study by the Congressional Research Service, the new $177 million Baltimore football stadium will create 1,394 jobs—at a cost of $127,000 per job created. Another study estimated that a $1 billion new stadium proposed for the New York Yankees would cost $500,000 per job created.

Proponents counter that new stadiums produce a variety of indirect economic benefits. A growing number of economists, though, insist that sports attendance is a zero-sum game. Most patrons come from within 20 miles of the ballpark, so money spent there or in nearby restaurants is money that would have gone into the local economy anyway, as movie rentals or pizza sales or book purchases. Smith College economics professor Andrew Zimbalist concedes that downtown ballparks may help revitalize their immediate neighborhoods; he suggests, however, that this comes at the expense of other neighborhoods in the same cities which lose business.

But sports teams can be a large part of a city's identity, and that gives proponents of new stadiums a less easily refutable argument. People in China may have never heard of Green Bay, but they have heard of the Green Bay Packers. Professional sports, that "secular religion," unites us in a way few other activities can anymore. Who can put a price on that?

Reform proposals

Support may finally be building, however, to put an end to the public subsidization of franchises. Moynihan has proposed ending the federal tax exemption for bonds used to finance the construction or improvement of professional sports stadiums. "Building new professional sports facilities is fine by me," Moynihan says. "Let the new stadiums be built. But please, do not ask the American taxpayer to pay for them."

If stadium bonds were made taxable, states that issued them would be forced to pay much higher rates of interest in order

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to induce investors to buy them, which would make many projects significantly, and perhaps prohibitively, more expensive. Officials in Hamilton County, Ohio estimated that loss of the tax exemption would increase the cost of Cincinnati's two new $544 million stadiums by as much as $180 million—probably dooming both projects. Officials in Seattle estimated that loss of the tax exemption would have increased the cost of their new baseball stadium by $25 million.

The Moynihan bill is opposed by a broad coalition of bond lawyers and state and municipal governments. They raise two objections. The first is that the bill is too broad. Miami may not need another stadium, but a ballpark to attract a minor-league team might be just the thing for a struggling small town. They also object to federal paternalism, arguing that if municipalities want to go into debt to build sports palaces, it is none of the federal government's business to tell them otherwise. Put another way, if Tennessee voters can vote tax-exempt bonds and make sweetheart deals to lure a Honda auto plant, why should they not be able to do it to lure a football team? It is also extremely rare for Congress to limit the purposes for which states may issue tax-free bonds. Why make an exception for stadiums while allowing public funding of shopping malls?

There is, of course, no guarantee that cities would balk at paying even more to build new stadiums. After all, the 1986 Tax Reform Act was supposed to make the costs prohibitively expensive, too, but did not. Given the desperate desire of cities to keep and attract teams, the Moynihan bill could have the perverse incentive of making matters worse if cities simply issued taxable bonds instead.

Another proposal is simply to undo the 1986 reforms and declare all stadium bonds to be private-activity bonds. There is a limit on the amount of private-activity bonds a state may have outstanding at any time, so pushing sports bonds into that category would make trade-offs explicit. You have $150 million to play with, Ohio voters: Do you want student loans or do you want to build a ballpark in Cincinnati for Reds' owner Marge Schott? Private-activity bonds are also subject to other restrictions not placed on government bonds; they cannot, for example, be used to construct a "skybox or other

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private luxury box." And many of the groups that depend on the various types of private-activity bonds—industrial-development bonds, mortgage-revenue bonds, student-loan bonds—are politically powerful. More modest proposals would prohibit teams from accepting tax subsidies to lure franchises or require leagues to share all the money that teams take in from their stadiums, much as the NFL shares broadcast revenues. If Art Modell had stood to collect only one-thirtieth of the generous payment Maryland offered him to move the Browns, it is unlikely he would have left Cleveland.

Public ownership

Still another idea is public ownership of sports franchises. "If you look at the amount of money the public is going to invest in a capital asset—the stadium—they might as well buy the team," says Indiana University professor Mark Rosentraub. Although several teams, like the Anaheim Angels and Chicago Cubs, are owned by publicly traded companies, shares in the teams themselves are not traded. The only completely public team is the NFL's Green Bay Packers. Forty-six hundred shares of Packers stock are owned by 1,900 shareholders around the world. The shares cost $25 apiece, with a limit of 200 shares per owner. The Packers must also approve all transfers, ensuring that a Rupert Murdoch could not form his own cartel to buy up shares and move the team elsewhere. Packer shares pay no dividends; all profits are reinvested in the team. If the Packers are ever sold, any surplus must be turned over to the local American Legion post to construct a memorial to the war dead. Given that the team was valued at $154 million in 1995, the Packers' president, Robert Harlan, once said, "That would be one heck of a memorial."

The Packers are not a model likely to be copied soon. All the major professional leagues prohibit public ownership (Green Bay was grandfathered in). The prohibition is justified as a matter of accountability; leagues insist on their right to approve new owners. A more likely reason for the prohibition, Rosentraub suggests, is that public ownership weakens the leagues' cartel power. Another is that the books of public companies are open for inspection, impeding a team's ability to cry poor as a ploy to gain concessions. Leagues do, how-

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ever, allow public ownership of minority interests in teams. Shares in the NBA's Boston Celtics and the NHL's Florida Panthers both trade on the New York Stock Exchange, though it seems they are held more for sentimental than financial reasons. Carl Pohlad, owner of the Minnesota Twins, proposed selling 49 percent of the team to the state of Minnesota in exchange for help in building a new stadium, a move that was recently approved by Major League Baseball, but rejected by the Minnesota legislature. (Pohlad then signed a letter of intent to sell the team to a group that would move it to North Carolina. Surprisingly, the citizens of Greensboro voted against the tax that would have financed construction of a new stadium to accommodate the Twins.)

Public ownership at least raises money only from those who support the team rather than from the taxpayers at large. But, so long as the number of teams is controlled, a publicly held team would be only slightly less likely than a privately held team to extort concessions or threaten relocation, unless ownership were restricted, as it is with the Packers. As any steel worker will tell you, publicly traded businesses can and do move if a better deal is offered.

What most people mean when they propose public ownership of sports teams is municipal ownership, but no team, not even the Packers, is municipally owned. A team that was so owned would seem prey to the same sorts of inefficiencies that plague municipal ownership of anything. Indeed, such inefficiencies have led many cities to privatize services. If government is incompetent to run, say, a state airline or coal mine, what business does it have running a basketball team? And, as hard-hearted as it may sound to Packer fans, if there are to be only 30 or so professional football franchises, why should a city of 96,000 have one when Los Angeles and Houston do not?

Radical solutions?

It is this artificial restriction on the number of teams, according to some, which undercuts all the current proposals for reform. "The Moynihan bill is a good idea," says Bill James, "but it doesn't strike me as an arrow right at the heart of the problem." The heart of the problem, according to James, Baade,

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Ross, and others, is the monopoly power of professional sports owners. Their solution is to break up the cartels. This tactic has been tried before, most recently by the United States Football League, which won an antitrust judgment against the NFL in 1986, but received only $1 in damages. So much for principle. Still, Congress could declare the NFL, NBA, and NHL monopolies and order them broken up, as AT&T was, while revoking baseball's antitrust exemption.

There has, as yet, been little legislative interest in such proposals; in fact, the proposals that have been made would do just the opposite. Legislation introduced in 1995 would have granted football, basketball, and hockey limited exemptions from the antitrust laws to prohibit franchise relocations. Senator Orrin Hatch has introduced a bill that would partially revoke baseball's antitrust exemption. But the bill would allow it to continue operating a captive minor-league system and to control the relocation of teams.

Such proposals, though, would merely enlist Congress and the public to help leagues shore up their cartels by punishing cheaters. Antitrust protection would concentrate monopoly power, rather than end it, making cities vulnerable to extortion by leagues, rather than by individual teams. There is no reason to believe leagues would not exercise that power. NFL Commissioner Paul Tagliabue warned Cleveland voters after the Browns left that, unless they built a new stadium, they would never get a new team. Major League Baseball has all but conditioned the survival of the Pirates on construction of a new, publicly built stadium in Pittsburgh.

Advocating a more radical approach, James proposes that each sport be broken into four independent leagues that would be prohibited from cooperating with each other in any way except for a brief period each year in which they could arrange a national championship. What would happen if such a plan were adopted? Rapid expansion, probably. To take baseball as one possible example, the Chicago Cubs in the new National League East League could no longer play the Los Angeles Dodgers in the National League West League, so the NL East would have to start its own team in the rich Los Angeles market. Major cities like Los Angeles, New York, or Toronto might end up with three or four baseball teams, one

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in each league, but all the contenders, New Orleans, Charlotte, Nashville, Washington, would get one somewhere.

Increase the supply so rapidly, and demand would slacken. Player salaries would plummet. Ticket prices would fall. No team would have enough leverage over a city to coerce it to build a stadium. As James describes this post-apocalyptic world: "In a competitive environment, if one league abandoned [a] city, another league would immediately move in. The 'owner' would have no power to force the city to dance to his tune. Building and maintaining a stadium would be strictly a matter of civic pride, as it should be." Roberts warns, however, that we should not overstate the amount of competition the market can bear, suggesting that sports leagues are, in effect, natural monopolies. Put four football teams in Los Angeles, in other words, and quickly one or two will become recognized as the "legitimate" big-league teams, increasing their leverage and forcing the others out of business. Olbermann cites the NBA as an example: The Los Angeles Lakers probably could extract any price they wanted from the city while the cross-town Clippers could not get themselves arrested.

What would also end if the sports cartels were broken, though, would be the familiar and popular routine of professional sports. Despite its abuses, monopoly power is also largely responsible for the stability and tradition fans cherish. Fans who can name every American League pennant winner since World War II have baseball's antitrust exemption, in large measure, to thank. Here, then, is the hidden trade-off. Public subsidies to millionaire owners can be ended, but perhaps at a cost of even more franchise relocation. A truly competitive sports world would be as chaotic as the computer and entertainment markets. Is America ready for that?

Such radical measures are then a bad idea; but some change would surely be better than what we have now. In early 1997, the Baltimore Ravens sent notices to purchasers of those $3,000 personal seat licenses in the new taxpayer-built stadium that will open this year. Included in the fine print was a clause absolving the team from liability in case it skips town before its 30-year lease expires.

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Convention center follies

HEYWOOD T. SANDERS

FROM San Francisco to Boston, from Chicago to New Orleans, our nation's major cities have sustained a boom in the development of convention centers over the last two decades which is nothing less than remarkable. Amidst the continuing debate over the scale and role of the public sector, this one governmental activity has continued to expand. Though cities like Baltimore, Atlanta, and St. Louis are marked by population loss and economic decline, these same cities and tens of others have devoted millions in public resources to attract convention goers and their dollars.

The measure of that public investment can be seen in the ever-growing scale of big-city convention centers. In 1960, Chicago opened its modern lakefront center, McCormick Place, which totaled 320,000 square feet of exhibition space. Today, the three buildings of the McCormick Place complex offer a total of 2.2 million square feet of exhibition space. In 1967, Atlanta opened its Civic Center convention complex. Its 70,000

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square feet of space once used for conventions now houses a science museum. Instead, Atlanta's Georgia World Congress Center boasts 950,000 square feet of exhibition space, with another 100,000 in the adjacent Georgia Dome and plans for some 700,000 more square feet of exhibition space in the near future. In Washington, D.C., the current convention center opened in 1983. Containing 380,000 square feet of space, it has been deemed by local interests to be too small. City leaders are in the process of developing an entirely new center with some 750,000 square feet of exhibition area, at a cost of more than $650 million.

For the nation as a whole, the space encompassed by big-city convention facilities has boomed over the last two decades. In 1969, major centers covered some 6.5 million net square feet of space. By 1980, the figure had almost doubled to just over 11 million. In 1990, the space total reached 17.7 million. And today, the national sum stands at about 24 million net square feet.

The building boom is by no means over. The array of cities building new centers or expanding existing ones runs from Boston and Atlantic City to Orlando, Louisville, and San Antonio, from New Orleans to San Francisco, San Jose, and Seattle. From booming high-technology urban centers to traditional tourist destinations or aging central cities seeking a new economic future, the enormous convention center has emerged as the supposed solution to urban ills and the key to economic transformation.

Yet for all of the public dollars spent, few cities appear to have been saved by larger convention centers. For all of the persistent rhetoric of new jobs, new spending, and "economic multipliers," much of the evidence suggests that convention centers deliver far less than promised. Indeed, in a number of cases, the expenditure of hundreds of millions of public dollars appears to have had almost no impact on individual communities.

Rationales and promises

Convention-center development promises visitor dollars, jobs, and local economic improvement. For communities enduring job loss or downtown decay, the rhetoric of new jobs and economic advancement is politically hard to resist. Moreover,

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the rhetoric is always bolstered by a bulky and seemingly substantial "feasibility study." Produced by a major national accounting firm or an economic consultant, these studies provide the rationale for more local convention-center space and the images of community benefit.[1]

The typical study begins with an examination of the current local convention facility and its operation. Business is usually good. In Atlanta, the Georgia World Congress Center "has consistently achieved higher annual professional and tradeshow occupancy than most U.S. convention centers in gateway cities." San Antonio's Henry B. Gonzalez Center is "operating at or near full capacity." So too the Anaheim Convention Center in California is "operating at or near full capacity and is contributing strongly to the economic vitality of Anaheim visitor industries."

The apparent success of each of these centers reflects the unique character and competitive advantage of each city as a visitor destination. Thus Atlanta's success is attributable to the city's location, "making it a natural hub," as well as the "corporate sector's commitment to community development and the national and international exposure which CNN and other Atlanta-based telecommunications companies provide." If San Antonio lacks a television network, it still has "appeal as a tourist destination point," while Anaheim provides an abundance of hotel rooms at relatively modest rates. San Francisco is regularly rated by meeting planners as "the most attractive city in North America." But, if Washington is tied for sixth on the same survey, it nonetheless has a "unique position as the Nation's Capital and as a gateway city for international visitors." Even Louisville apparently possesses a set of advantages, with downtown restaurants, retail, and entertainment, "creating an attractive and vibrant urban core."

Yet, if each city is interesting and vibrant, and each existing convention center nearly full and successful, what is the problem? The response of the typical study is competition—other

[1] The analyses of proposed local convention centers are technically not "feasibility studies," because they contain no substantive forecasts of revenues and expenditures. However, they do sustain the arguments of convention-center promoters, with a remarkably similar set of arguments and analyses.

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cities building larger centers that threaten to steal away convention goers and visitors. For Atlanta, with one of the largest centers in the nation, expansions in Chicago, New Orleans, Washington, and Los Angeles threaten to leave the city with only "7 percent of the total exhibition space among the Major U.S. Centers by the year 2006 if it does not expand." Washington, D.C., now "lags behind the centers of the cities with which the District principally competes," having "fallen from fifteenth to twenty-fifth nationally in the total amount of space offered." The competition is no less serious for San Antonio, where "virtually all" of its primary convention business competitors "have either recently expanded, are in the process of expanding, or have plans to expand within the next few years."

If the consistent response to more space in one city is more space in every other, the natural question should be whether there is enough convention business to go around. Each feasibility study contains a remarkably similar response: The convention and tradeshow business will inevitably continue to grow, based on the same national statistics.

The 1993 study for Washington, D.C., noted that "conventions will be an essential tool for companies to collect and disseminate information," concluding that "convention demand is expected to continue to grow during the current decade," and that "trade shows will continue to be an effective sales medium through the 1990's." Atlanta's consultants noted predictions of 5 percent annual growth in demand and concluded that it is "reasonable to assume that growth in demand for competitive facilities will continue to be above the average rate of growth estimated for the industry." And the Commonwealth of Kentucky could be reassured that the number of conventions was "projected to increase between three and four percent annually" while expositions would grow at an annual rate of 7 percent. Thus, even in the face of a convention-center building boom and the constant threat of a city falling behind in the space race, expanding demand, it was presumed, would fill up the proposed new space.

Questionable methods

The methodology of prediction used in feasibility studies is remarkably simple and simple-minded. Arthur Anderson's 1991

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estimates for San Antonio noted that the existing center's space could handle some 442,000 attendees. But it inflated that figure to 728,000 users, based on a projected 65 percent increase in center space. There was no estimate of competition, growth rates, or interest in the city—simply the projection that any new space would fill up with convention goers in a few years.

Atlanta's consultants were less optimistic and more obtuse. They estimated that a "no expansion" scenario would see annual convention and trade-show attendance between 1.1 and 1.2 million, and that a larger center would accommodate from 1.5 to 1.7 million, although they provided no particular justification for their conclusions. Washington's consultants judged that the current center would manage a stable business over the next decade while a larger new center would see a 45 percent increase in annual convention events. In Boston, a convention center expanded in 1988 was judged to be fully used. When plans were made for a new 600,000 square foot center, consultants predicted a half million new attendees and no reduction of business at the existing convention facility.

Using these estimates of hundreds of thousands of new attendees, the writers of the feasibility studies invariably forecast impressive economic gains. The typical mechanism is an elaborate chain of multiplications which turns visitors into dollars. The projected number of new annual convention visitors is multiplied by the presumed average stay, then by the average daily spending, and finally by a "multiplier" intended to capture the economic impact of dollars that are "re-spent" within the community. In a 1992 study for Louisville, 65,000 new convention visitors were estimated to stay four days and spend $125 per day. With additional spending by associations and convention exhibitors, the total new spending resulting from the expanded center was judged to be more than $48 million a year. A multiplier of 1.77 was added in, yielding an economic boon to the community of more than $86 million.

The economic impact of a convention-center expansion in San Antonio was judged to be somewhat greater. An additional 286,000 new attendees, with their 109,000 companions staying four days, would yield a direct increase of $624 million per year. With a multiplier of 2.0, total economic effect

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was predicted to be more than $1.2 billion annually at full capacity.

The economic impact estimates produced by Deloitte and Touche for a new center in Washington, D.C., promised about $650 million per year after a few years of operation, presumably yielding 2,500 new jobs. And in Atlanta, Price Waterhouse put the economic yield of a substantial expansion of the Georgia World Congress Center at $424 million in new direct spending, based on new attendance of 400,000 to 500,000 persons. With the effect of a multiplier, the total annual impact would come to more than $1 billion.

These grand estimates of economic effect and job creation offer powerful ammunition for convention-center proponents. They are, however, subject to a great many questions. First, each element of the impact calculation is itself an estimate, often based on national figures rather than the local experience. A four-night stay may be the norm in Louisville. But, in San Francisco or Boston, with far more expensive hotel rooms, a two- or three-night stay is more likely the norm. The total number of new attendees is also subject to question. Is the assumption that the convention business is continuing to grow plausible? Or may there be a glut of big-city convention space in the offing?

Finally, the estimates of economic impact offer no serious basis for comparing alternative investments or their returns. While some studies compare new or expanded centers to a "no expansion" alternative, they almost never extend their analysis beyond the narrow issue of more convention space. Might a few hundred million dollars of public investment in new schools or job training produce a more impressive result? Would similar spending on a museum or arts complex also be likely to draw in thousands of new visitors, more spending, and a multiplied economic effect?

Actual performance

The promises of hundreds of thousands of new convention goers and potentially billions in economic improvement are tempting to both public officials and the general public. Yet only rarely are the actual results of convention-center investment examined. The actual performance of the new expanded

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centers has fallen short of what the feasibility studies promised.

Houston. In the late 1970s, business and political leaders in Houston feared that their city had fallen behind in the competition for national convention-center business. With the Albert Thomas Convention Center placing the city seventeenth among the top 20 convention cities, the city commissioned a feasibility study to examine potential sites and the likely results of a new building.

The 1981 analysis by Wilbur Smith and Associates made it clear that the national convention business was booming and that Houston needed a far larger facility to serve it. The consultants recommended that Houston make a *"significant move"* into the market by building a massive new center of 600,000 square feet. That would position the city just behind Chicago and New York in the space race and would generate substantial economic benefits.

Houston's new George R. Brown Convention Center opened in September 1987. Smith's 1981 feasibility study had projected "conservative" annual convention and tradeshow attendance of 700,000. In 1994, the center housed 180,687 convention goers; in 1995, 186,576; in 1996, 276,318. The Smith study's estimate of some 50 to 60 annual convention and tradeshow events has turned into an annual average of about 30. With about half the business that the feasibility study projected, the economic impact of the center has obviously fallen far short of predictions. Its job creation results are no less modest.

In 1987, Harris County, which includes the city of Houston, listed 15,000 employees in local hotels and motels. The comparable figure for the most recent year available, 1995, is 15,499. While the majority of the 10,000 new jobs promised by the Smith feasibility study should have been in the lodging industry, hotel employment has been flat for almost a decade. City officials and downtown boosters now argue that the center's failure to attract its projected business is the result of a lack of nearby hotel rooms. Armed with special state legislation that allows sales and liquor taxes to be used to subsidize a new hotel, the city has embraced a deal that will provide a $16 million city loan and a $34 million loan backed by hotel taxes as well as a property tax abatement to spur construction of an adjacent hotel.

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Los Angeles. In October 1983, the chief administrative officer of Los Angeles employed Touche Ross & Company to study the feasibility of expanding the Los Angeles Convention Center. The firm concluded that an expansion from 330,000 square feet of exhibition space to 610,000 would provide an optimum size for the estimated convention market. Armed with the Touche Ross endorsement, Mayor Tom Bradley and a Blue Ribbon Committee enthusiastically backed the $350 million expansion effort. But the eventual expansion proved more difficult and expensive than the mayor and the Blue Ribbon Committee had anticipated. The cost rose from $350 million to $500 million, and the 385,000 square foot expansion did not open until November 1993, about three years late.

In fiscal 1985, the old center attracted 1.475 million attendees and 123 events. The expanded facility was projected to house 2.32 million attendees in its first year of operation, rising to more than 3.7 million people and 270 events. Thus the expansion was projected to boost attendance two and one-half times. Here's what actually happened: Attendance at the expanded Los Angeles Center in fiscal year 1993-94 came to 1.18 million for 106 events, with 1.3 million attendees at 129 events the following year. The 1995-96 total came to 121 events and 1.83 million attendance. (But more than 400,000 of those attended the 31-day showing of the "America's Smithsonian" traveling exhibit.) Rather than boosting attendance by two and one-half times, the expanded center has been doing essentially the same level of business as was done by the old center in the 1980s.

The gap between promise and performance has had an immediate fiscal impact on the city. The annual shortfall in debt service and operating expense for the bigger center comes to some $20 million. This is paid out of general city funds that might have been used for other local public needs.

Washington, D.C. The effort to build a major convention center in Washington began in earnest in the early 1970s. City officials applied to the federal Economic Development Administration for a study grant in mid 1976 and commissioned Gladstone Associates to conduct a market analysis and a feasibility study for a new convention facility. The center was intended to be an "economic development project, designed to

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strengthen and expand Washington's role as a major convention and meeting city, and to insure that this vital function is retained in the heart of the city." Gladstone endorsed the plans for a convention center, concluding that it would generate big economic gains.

The new Washington Convention Center opened in 1983 and, by the early 1990s, was judged to be operating "at or above the industry's practical capacity of 75%." The center was filled, it is true, but with local events. The out-of-town conventions that were intended to lure new dollars to the District amounted to only about one-third of the annual events at the center. Instead of the approximately 40 conventions and tradeshows projected by Gladstone, the center hosted 32 in 1993, 25 in 1994, and 23 in 1995.

Attendance was also modest. Where Gladstone's feasibility study had projected attendance of about 350,000, the number of out-of-town delegates was 303,000 in 1994 and 258,000 in 1995. Fewer convention delegates means less hotel demand. The feasibility study projected about 1.5 million hotel-room nights, based on an average stay of 4.4 nights. From 1987 through 1997, the Center generated, on average, just 323,000 room nights per year—about one-fifth the projected total.

Providence. The new Rhode Island Convention Center not only fits the pattern of a clear gap between promise and performance but also exemplifies a new political trend in convention-center development. Where big-city centers like those in Houston, Los Angeles, and San Francisco have typically been the products of local government, the new center in Providence was built and paid for by the state of Rhode Island through the Rhode Island Convention Center Authority. The authority owns the center, an adjacent 363-room hotel operated by Westin, and two parking garages.

The state's plans for the center were supported by a feasibility study by Coopers & Lybrand which estimated the facility would attract 42,000 delegates yearly, each of whom would stay four nights, for a total of more than 160,000 hotel-room nights. Yet, since its 1993 opening, the center's performance has fallen well short of that figure. A recent study of the center's activity during fiscal year 1995-96, by the University of Rhode Island, concluded that the center itself generated

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just 59,451 hotel-room nights. That amounts to almost one-third of the consultant's projection. The convention center is busy—in fiscal 1996, it attracted 824,000 attendees. But most of that attendance is local—people who drive in from surrounding areas for the day, rather than staying overnight.

The implications for the state are serious. The state not only has to pay for the debt service on convention-center bonds, it now has to make up for an operating deficit where Coopers & Lybrand had once forecast an annual profit.

Philadelphia. Philadelphia had long served the convention and tradeshow market with its Civic Center, originally built in 1931 and enlarged in 1967 and 1978. But, by the early 1980s, Philadelphia business and political leaders were contending that the Civic Center was no longer adequate to attract national conventions. Arguments were made that it was now too small, that its location in West Philadelphia, relatively distant from downtown hotels, was uncompetitive, that it did little to boost the revitalization of the downtown core. Mayor Bill Green commissioned a feasibility study for a new downtown center in 1982.

The study by Pannell Kerr Foster (PKF) projected that a new center would attract some 48 major events after three years with attendance of 263,000. After 10 years, the attendance total would rise to 346,000 and more than 700,000 hotel-room nights. Based on the assumption that out-of-town visitors would stay an average of three nights, the PKF analysis went on to predict that the "multiplied" effect of new visitor spending in the city would total more than $21 billion over 30 years, and that the center would create 5,000 new jobs. The promise of the proposed center was that it could significantly boost the number of conventions and tradeshows in the city from nine or 10 to more than 40, and that it would spur large-scale new hotel development in the city's core.

The Pennsylvania Convention Center opened in June 1993. An adjacent Marriott hotel, portrayed in the PKF study as a crucial link in the city's search for national convention trade, opened with the aid of a city-purchased site in January 1995. Convention-center attendance was roughly in line with PKF's predictions. The problem comes with hotel-room demand. Rather than the 700,000 room nights predicted by PKF's fea-

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sibility study, total room nights in 1996 and 1997 were below 500,000, and nearly half of that attendance is from the Philadelphia metropolitan area.

Much of the tradeshow business at the new Philadelphia facility involves businesses like graphics and printing that draw from a regional market. And, while national conventions have chosen to meet in the city, their delegates do not stay long. The average stay of convention attendees is 1.5 nights—half of the figure assumed in the feasibility study. Just as in Providence, the Pennsylvania Convention Center is filled, but largely with local and regional visitors who stay only briefly and spend little.

Boston. The city of Boston opened its current convention facility, the Hynes, in 1965. It was intended to be both a meeting location and a civic amenity, with an auditorium that could serve the visiting company of the Metropolitan Opera as well as national and regional meetings. By the late 1970s, Boston public officials were pressing to enlarge the Hynes to capture an increased share of the convention and tradeshow market and boost the city's lagging hotel industry. An April 1979 analysis by the Boston Redevelopment Authority concluded that an expanded center would double the number of conventions and tradeshows in the Hynes from about 30 to 60 and generate some 1,500 new hotel rooms in the city. That forecast would bring Boston a total of 14,800 hotel rooms by 1990. Two years later, a study by Peat, Marwick and Mitchell was equally optimistic in projecting a doubling of conventions and tradeshows at the Hynes to about 60 each year. And the vision was no less positive in 1985, as the expansion effort at the Hynes was about to begin. Another Redevelopment Authority analysis concluded that hotel-room demand would reach 13,800 in 1990 and 18,500 by 1995.

The expanded Hynes, opened in January 1988, did not bring in nearly as much business as expected. The predictions of almost 14,000 or 15,000 hotel rooms in 1990 proved about 3,000 off. And five years later, instead of more than 18,000 hotel rooms in the city, there were just 12,300.

The projections of new hotel demand assumed that hundreds of thousands of new attendees would flock to the city, staying multiple nights. In 1984, Boston hotels generated 2.58 million room nights of business. In 1986 and 1987, while the

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old Hynes was totally closed for the expansion, hotel stays rose first to 3.04 million and then to 3.15 million. Obviously, hotel-room demand was growing despite the absence of a public convention center. The first year of the expanded center's operation, 1988, saw a city-wide total of 3.2 million room nights. And for the next three years, hotel demand averaged 3.04 million room nights. Thus there is no evidence that the expanded Hynes has had any positive effect on Boston's hotel business.

Politics and place

While the public arguments for convention-center development stress jobs and visitor spending, the private discussions of city business leaders have a different focus. For them, convention centers are about far more than the economics of space and place. A new convention center with a price tag in the hundreds of millions offers a means of reshaping the development opportunities and potential of downtown property. The politics surrounding St. Louis's new center illustrates the role played by local business leaders.

St. Louis opened its new Cervantes Convention Center in 1977, naming it after former Mayor Alfonso J. Cervantes, the Center's most visible proponent. For the mayor, the prospects of the new structure were obvious. "We will be creating new jobs in a clean industry, bringing new money to St. Louis, and expanding the tax base to the relief of the property taxpayers who have not fled to the suburbs." Yet the real backing and support for a new convention center reflected the desires of the leadership of St. Louis's business community to protect downtown property values.

In the late 1960s, Mayor Cervantes embraced the notion of a multi-purpose entertainment and tourist center on the *southern* edge of the downtown core, near the city's Union Station. The business community, in the form of a group called Civic Progress, Incorporated, had a different vision. With such luminaries as August Busch of Anheuser-Busch, James McDonnell of McDonnell Douglas, Morton May of May Department Stores, and the CEOs of Southwestern Bell, Monsanto, Pet, and Ralston Purina, Civic Progress carried both political influence and economic muscle. It had promoted and backed

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a set of massive bond issues in the 1950s and 1960s that built expressways and began downtown revitalization. The group also had taken the lead in financing the development of Busch Stadium and the surrounding area at the southern edge of downtown in the early 1960s.

Discussing the future of the downtown in July 1967, one Civic Progress leader noted "an increasing amount of property decay in the downtown area north of St. Charles Street." His point was that the downtown area needed the kind of protection from "erosion" on the north side that it received on the south side from the Stadium complex. The north side of the downtown was bordered by an African-American slum that the city targeted for clearance in 1959. But, with limited federal and local funds available, the city had not managed to renew the area or protect the downtown from "erosion." A new convention center could make that clearance and renewal possible.

At the same time, a massive public investment in a convention center could also spur new private investment and building in its immediate environs. One Civic Progress member, Lief Sverdrup who worked for the city's dominant engineering and architectural firm, promoted a scheme to do just that. The Sverdrup scheme would surround the new center with offices, restaurants, parking, one or more major hotels, and a new retail complex.

The convention-center effort thus brought together the clearance of a slum neighborhood, a boost to private land values, and the protection of the downtown from "erosion" in a single package. And lest his Civic Progress colleagues failed to recognize that the convention center was also a land deal, Sverdrup argued at the group's December 1970 meeting that "the Convention Center could shut off the north side of downtown from erosion and decay the same way the Stadium complex and other developments in that area have shut off the south side." The backing of the business group was crucial to the success of the center proposal. The bonds to pay for the new building required voter approval, and Civic Progress was the only mechanism for generating the $100,000 to $120,000 budget for a bond campaign.

The March 1971 vote on the center proposal proved an embarrassment for both the mayor and the business leaders.

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Despite the promises of jobs, development, and an economic boon, the bonds were supported by just 36 percent of the electorate. After the defeat, the proposal was reworked to shift the cost from property owners to business and tourists. Once again, the backing and financing of Civic Progress was crucial to any hope of passage. And once again, the business group backed the bonds, *but only after city officials made a formal commitment to the north side of downtown as its site.* Business leaders also persuaded the mayor to stay in the background during the campaign and placed the public relations effort in the hands of a firm with long-standing ties to Civic Progress. With a shift in financing that avoided a property tax increase, the bonds passed in November 1972 with 75 percent of the vote.

The opening of the Cervantes Center gave the city its presumed boost in the convention trade, and the business community its protection. And the project has continued to absorb both public dollars and business attention, with the expansion of the center and the new Trans World Dome stadium next door. St. Louis is still struggling to succeed in the national convention market, but the northern end of the downtown now wears an expansive band of "erosion" protection.

A national perspective

For an Atlanta or a Baltimore, the decision to invest millions in a convention center in order to achieve an economic expansion and downtown revival is often a simple one. From the national perspective, the constant pressure to compete by adding ever more convention exhibition space simply rearranges the pool of conventions and tradeshows, moving them from place to place. The taxes foregone by the federal government on billions of convention-center debt do little to boost the national economy, or even to aid needy cities. Many of the resort destinations like Las Vegas, Anaheim, and Orlando that have led the convention-center space race are precisely those cities that are among the best off. But a coherent national urban policy would suggest that federal aid and support are least necessary there.

Indeed, whatever the policy content of federal urban aid over the last four decades, the local thrust has been the salva-

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tion and renewal of the downtown business core. Under the federal urban renewal program, cities employed federal aid to clear downtown and near-downtown sites for new convention centers. Under the Urban Development Action Grant program, communities built hotels and convention centers in an effort to lure visitors to their central business districts. Today, these same communities continue to invest their dollars, and such federal grant aid as they can secure, in similar efforts to redeem declining downtowns with dollars from tourists and convention goers.

All too often, these efforts have assumed that saving a downtown saves an entire city, that the economic well-being of a Cleveland or Cincinnati or St. Louis depended upon a central business district attractive to people from somewhere else. And where the same cities faced fiscal problems and constraints that made it impossible for them to invest in new convention centers, stadiums, arenas, and shopping malls, the development of these public facilities was regionalized—shifted to the county, metropolitan region, or state level.

Thus, even as the circumstances of city governments have become more perilous, convention centers have managed to stand above the storm, drawing upon the political resources of state governments or broader metropolitan areas. This regionalization of convention-center finance stands in sharp contrast to the limited resources available for other physical and capital needs in older urban centers, to say nothing of the demand for basic public services. Yet, at the same time that urban analysts have argued in favor of moving beyond the limits of current cities to larger, more geographically and economically inclusive metropolitan governments, downtown interests and big-city business leaders have adopted precisely that strategy to secure their very different view of urban revival—protecting downtown values from "erosion."

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Are the children of today's immigrants making it?

JOEL PERLMANN AND ROGER WALDINGER

THIRTY years after the Hart-Celler Act brought a wave of new immigrants to the United States, their children are reaching adulthood. These children of immigrants have only recently become a sizable presence in American schools and are just now moving from the schools into the labor market. But recent studies by Herbert Gans, Alejandro Portes, Ruben Rumbaut, and Min Zhou—all leading students of American ethnic life—outline, with clarity and acuity, reasons for concern: Having originated from everywhere but Europe, today's newcomers are visibly identifiable in a mainly white society still not cured of its racism. Moreover, changes in the structure of the U.S. economy aggravate discrimination's ill effects. While the poorly educated immigrant parents seem to have had no trouble finding jobs at the bottom of the economic ladder, the shift toward knowledge-intensive jobs means that the next generation will have to do well in school if they wish to surpass the achievements of their parents. But, with big-city schools in more trouble

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than ever before, the outlook for successful passage through the educational system seems dim. As second generation expectations are unlikely to remain unchanged, we can count on a mismatch between the aspirations of immigrant children and requirements of the jobs that they seek.

The other major factor influencing scholarly views of today's immigrant children has to do with the past. The descendants of the last great migration started out at the very bottom, but they have now either caught up with, or surpassed, their WASP betters of yore. While one might find cause for comfort in their success story, future developments are likely to follow a different, less hopeful path. To begin with, the people of the last great immigration, from the 1890s to the 1920s, shared a common European heritage with the then-dominant WASPs, blunting discrimination's edge. The old factory-based economy also allowed for a multi-generational move up the totem pole. Immigrant children could do better if they just hung on through the high-school years, after which time well-paying manufacturing jobs would await them. The third or fourth generation would continue on through college and beyond, completing the climb from proletarian to plumber to professional. By contrast, the recent restructuring of the U.S. economy gives the children of today's immigrants no time to play catch-up, requiring strong and early performance as the condition for advancement.

Is the pessimism of Gans, Portes, Zhou, and others justified? When we consider second-generation upward mobility in the past, and compare it to the prospects of second-generation mobility today, we think not.

Second-generation lessons

The 1890-1920 wave, heavily dominated by immigrants from southern and eastern Europe and the last mass immigration to occur before legislation choked off the European flow, provides the crucial reference point. Compared to their predecessors, the immigrants of the turn of the century were far more likely to converge on the nation's cities, and far less likely to move into agriculture—in striking parallel to the situation today. These immigrants of the turn of the century

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encountered an economy very different from the postindustrial capitalism of late-twentieth-century America. However, their situation was far closer to the present than to the American economy of 1850 or before.

The 1890-1920 wave included relatively few immigrants from Mexico, Asia, and the Caribbean, of course, which some will argue makes comparisons impossible. We disagree. The issue is whether today's immigrant children are likely to adapt in ways that parallel or diverge from the trajectory followed by their second-generation predecessors who were overwhelmingly of southern and eastern European origins. The real question about race is whether being an Asian, black, or Mexican immigrant is a big handicap for today's immigrants, a handicap that distinguishes them from southern and eastern Europeans of the last wave. Asian, black, and Mexican immigrants faced especially destructive discrimination in 1900; the situation is radically different today.

The great majority of the 1890-1920 immigrants entered the American economy and class structure near the bottom, dramatically below the average native-born family's position. True, there were entrepreneurs among the immigrants—mainly persons with a background in trade or crafts (as among Jews) or unskilled laborers who somehow managed to move into entrepreneurial endeavors. Nonetheless, in 1910, immigrants from all major groups, save the British, were far more likely to work at the least skilled jobs than were native whites of native parentage, and all were less likely to work in white collar jobs of any sort. Low levels of literacy also distinguished these groups from natives and from late-nineteenth-century immigrants from northwestern Europe. Just over half of the "other eastern and southern Europeans" reported that they could read, and just over half of the Italians could not speak English, for example. Though Jews entered America at occupational and literacy levels above their counterparts from southern and eastern Europe, they still began with quite a disadvantage compared to the native born. The children of immigrants were less likely than the children of natives to remain in school, and those who remained in school were more likely to have fallen behind in grade attainment.

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Getting ahead: the historical record

There are two kinds of studies of the economic mobility of European immigrants. The first is a set of historical studies of mobility among European immigrants and their children. The second is based chiefly on the "ancestry" question of the 1980 and 1990 Censuses; it provides novel information on individuals who are later-generation descendants of immigrants—third, fourth, fifth, or subsequent generations. These two strands of research treat populations that do not quite connect. The first group focuses on immigrants and their children; the second, on descendants of any generation. The research results highlight this gap: The historical studies of social mobility tend to show that ethnic differences in the economic standing of groups remained very important into the second generation; the outcome studies based on ancestry show that eventually these differences disappeared.

The studies of social mobility in America were mostly conducted in the 1960s and 1970s, when they were a staple among the then new social historians. Associated most closely with the name of Stephan Thernstrom, these studies came to a crashing halt in the late seventies, in part because of an increasing disenchantment with quantification among historians, and in part because the research on social mobility in particular quickly reached a conceptual impasse. These studies had sought to explore the extent to which upward mobility characterized American life. Several conclusions emerged: first, that social mobility in America had indeed been considerable; second, that it was not as great as stated in the most naive versions of the rags-to-riches stories of the Horatio Alger type; and third, that the quality of the data, not to mention the quantitative training of most social historians, was too poor to determine whether the extent of American social mobility varied much across time and place and whether American social mobility differed much from European rates of mobility.

The historians were also interested in educational differences among ethnic groups, but historical information on school achievement was rare. The U. S. Census began asking about grades of school completed only in 1940, and the question

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that had been asked earlier, whether a given child was in school in the census year, was a poor proxy for school performance. The studies that did manage to include information on schooling supported the generalization, obvious from published surveys of the time, that the children of native-born parents were more likely to be in school, and in the higher grades, than were the children of immigrants. Some immigrant groups differed dramatically in the amount of schooling their children received, although much of this difference is easily explained by dramatic differences in the levels of economic well-being of the families. Nonetheless, there do appear to have been some significant ethnic differences in years of schooling completed by different ethnic groups, even when all measurable family background factors are taken into account. The different levels of schooling between the Jews and other immigrant groups from southern and eastern Europe, such as the Italians, is a case in point.

Another easily observed line of division is between immigrants from less and more economically developed parts of Europe (as for example, the Slavs and Italians, on the one hand, and the British, Germans, or Scandinavians, on the other, circa 1910). The extent to which schooling contributed to upward mobility for different ethnic groups varied for two reasons. First, the children of some immigrant groups received more schooling than the children of other groups. Second, even comparable amounts of schooling may have been somewhat more beneficial (measured in terms of occupational or income attainments) to the children of one immigrant group than to the children of another immigrant group—for many reasons. Again, contrasts between Jews and others have been made in the literature. However, the truly glaring ethnic difference in terms of returns to schooling involves the low degree of occupational advancement experienced by relatively better educated blacks in the North compared to various groups of whites with the same education.

For our purposes, the most important observation to be made about the historical literature is that it raised the question of the *extent* of mobility by group, much more than the *paths* to upward mobility. But it is precisely the latter question that lies at the heart of today's debate. Did this second

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generation owe its mobility to the availability of semi-skilled factory jobs? And does the decline in those jobs today mean that progress is now blocked?

Whatever the differences among European groups historically, the ancestry studies from the 1980-90 censuses by Stanley Lieberson, Mary Waters, and others demonstrate that, for European-origin groups, socioeconomic assimilation has been largely accomplished. The rank ordering of well-being today is generally unrelated to that at the turn of the century, with only Jews deviating markedly from this generalization. However, the matter of mobility pathways is once again largely unaddressed.

We note one curious and important exception to the sociological studies of ancestry that stress convergence. George Borjas, a leading policy analyst on immigration issues, shows that 1910 literacy levels in the immigrants' country of origin were correlated to the economic position of their descendants for almost a century. Of course, there may be convergence today, or differences may last. Nevertheless, because Borjas's writings are widely read and cited by policy analysts in connection with immigration-restriction issues, this divergence of emphasis regarding the long-term character of immigrant absorption should not be ignored.

We believe, considering all this research, that the "catching up" occurred not in the first or second generations but in those later generations on whom data are hard to obtain. By the third generation, the levels of intermarriage among groups of European origin became very high. The ancestry question bypasses this problem by throwing it in the lap of the respondent: With whom does he or she identify? Yet, if our goal is to understand socioeconomic mobility from the second generation to the present-day generation, we need the sort of data the genealogist wants—the actual ethnic ancestors of individuals, not the subjective identities of the present generation. Much more than the scarcity and complexity of data are involved here. The substantive significance of all this is that the socioeconomic assimilation of the immigrants' descendants occurred at the same time that the meaning of ethnic descent became complex and indistinct.

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The Mexican factor

Given the distinctive economic characteristics of the post-1965 immigrants, one might not have expected the discussions of their children's prospects to have turned so pessimistic so quickly. In contrast to the immigrants of 1890-1920, concentrated at the bottom of the occupational distribution, socioeconomic diversity is a salient feature of the new immigrants.

High-skilled immigrants have played a modest, but significant, role in immigration to the United States ever since the enactment of the Hart-Celler Act in 1965. Notwithstanding charges that America's immigrants are of "declining quality," the 1990 Census found that a college degree was as common among all immigrants as among natives (one out of five). Moreover, the high skilled are often present at levels well above the U.S. average, with the college-graduate share ranging from 27 percent among Russians to 65 percent among Indians. Consequently, a good proportion of the recent arrivals begin not at the bottom but in the middle class or above. In contemporary Los Angeles, for example, coveted professional occupations have become immigrant concentrations. More than 35 percent of the pharmacists in the Los Angeles region are foreign born, as are more than 25 percent of the dentists, and more than 20 percent of the engineers, computer specialists, and physicians.

At the same time, many of today's immigrants do start at the bottom. Thus, in 1990, 5 percent of all U.S.-born adults, but 18 percent of foreign-born adults, had not received any secondary schooling. We can refine this contemporary native-immigrant comparison in a crucial way: A great share of the immigrants coming in at the bottom are from Mexico. Indeed, in 1990, 22 percent of the foreign-born population in the United States was born in Mexico; the next most prominent source country, the Philippines, accounted for less than 5 percent. If we look at the immigrants from the many other sending countries—eight-tenths of the whole—we find that the educational achievements of native- and foreign-born adults no longer appear very different. The foreign born are actually more likely to have reached college than the native born. In other words, were it not for the immigration of Mexicans, immigration would be 80 percent as large as the current one,

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and its members, on average, would begin their progress through the American economy no worse off, on average, than other Americans who are not immigrants. The usual generalizations about contemporary immigration provide no hint of this reality.

Mexicans loom large among the foreign-born population, but even more so among the children of the foreign born.

TABLE 1

Characteristics of Immigrant Children, aged 0-17, 1990

	1st Gen.	2nd Gen.	All Imm. Kids	3rd-plus
Head College Graduate				
Total	20%	22%	21%	23%
Mexican	3%	4%	4%	8%
Non-Mexican	27%	30%	30%	23%
Head Single Parents				
Total	25%	18%	20%	25%
Mexican	23%	19%	20%	39%
Non-Mexican	25%	17%	19%	25%
Head Upper White-Collar				
Total	16%	22%	21%	25%
Mexican	4%	6%	6%	13%
Non-Mexican	21%	30%	28%	25%

Source: Oropesa and Landale, 1995

Note: 1st Gen. = born abroad; 2nd Gen. = born in U.S. of at least one foreign-born parent; All Imm. Kids = first plus second generations.

Roughly one out of every three immigrant children has at least one Mexican-born parent. Because those parents live under depressed socioeconomic circumstances, the size and characteristics of the Mexican population strongly influence the overall profile of today's second generation. Table 1 supplements the usual comparison of the children of immigrants and natives with a further contrast between Mexicans and all other immigrants. The four indicators displayed in Table 1—percent of children living in households where the head is on public assistance, or a single parent, or a college graduate, or employed in an upper white-collar occupation—are based on research done by others and not meant to be determinative. Still, they too suggest a pattern more nuanced than one would expect given the prevailing view of the second generation. On

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three of the four indicators, the children of all immigrants are living in less desirable circumstances than their native-born counterparts. But that disadvantage disappears when the Mexican population is excluded from the analysis. Indeed, according to these indicators, the children of the other foreign born are better off than the children of the native born.

One is hard pressed to argue that today's immigrant children—Mexicans excepted—are starting out from circumstances less favorable than those of the past. And they may indeed be better: To note that 30 percent of today's non-Mexican second generation lives in a household where the head has a college degree is no trivial observation in light of the historical experience—especially when the level for all natives is seven percentage points lower.

Regardless of comparisons to immigrants past, today's debate asks about the effect of the "new economy." While the new economy may render the children of non-Mexican immigrants vulnerable, it must be having about the same influence on the children of the native born. The new economy may indeed confront children with "missing rungs" on the ladder—but no more so, on average, than it does for children of native-born families. The Mexican immigrant population, therefore, stands most at risk; and its magnitude makes immigrants as a whole appear distinctively exposed to the winds of economic change. By contrast, at the turn of the century, no single group could have altered the generalization that most immigrants were much more likely than natives to start out near the bottom. That generalization applied to every one of the major southern and eastern European groups—the relatively better-skilled Jews included.

Not black and white

But what about race? The European immigrants of 1890-1920, write Portes and Zhou, were "uniformly white"; consequently, "skin color reduced a major barrier to entry into the American mainstream." Gans concurs: "While dark-skinned immigrants from overseas cultures will also acculturate, racial discrimination will not encourage their assimilation, at least not into white society."

"Race," as historian Barbara Fields has argued, explains

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nothing but is something that has to be explained. So contentions such as these beg the question at hand: Under what conditions do such distinctions among groups gain significance? A look at other societies demonstrates that neither skin color nor any other physical attribute is a necessary condition for the erection of racial divisions. The central complaint of modern European anti-Semites was precisely that the Jews had become indistinguishable from everyone else. And current French attitudes are far less antagonistic to black Africans or Antilleans than to North Africans. Yet the latter are frequently blond and of fair complexion.

We may see nineteenth-century European immigrants as uniformly "white" today. But that is not the way they were seen then. John Higham's classic, *Strangers in the Land*, showed the influence of racial thinking—with its distinctions among "Nordic," "Alpine," and "Mediterranean" races—common among intellectual and political elites who framed the immigration-restriction legislation of the 1920s. As applied to the European immigrants, those racial classifications often employed visible physical features, including skin color. In the nineteenth century, the Irish were considered a "race" and regularly characterized as "savage," "simian," "low-browed," and "bestial." Black Americans were referred to as "smoked Irishmen," suggesting that these two groups were then looked at through a remarkably similar racial lens. Later observers stressed the "Saracen blood" of the southern Italians, whose "dark complexion ... sometimes resembles African more than Caucasian hues." Similar doubts about the "whiteness" of immigrants were extended to Slavs and Jews.

Moreover, these racial divisions faded at a very gradual pace. Social scientists today will make sport of turn-of-the-century sociologist E. A. Ross, whose book *The Old World and the New* contains such gems as this quote from a physician who claimed that "the Slavs are immune to certain kinds of dirt. They can stand what would kill a white man." As late as 1945, a Universiy of Chicago sociologist, W. L. Warner, and his co-author, Leo Srole, could distinguish between "light" and "dark" "Caucasoids"; the latter, "a mixture of Caucasoid and Mongoloid" blood, were expected to undergo a glacially paced assimilation—anywhere from six generations to "a very

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long time in the future which is not yet discernible."

It could not have been more than a few years after 1945 that Warner and Srole's "dark Caucasoids" became "white ethnics." Racial perceptions changed as the Irish, Poles, Italians, and Jews moved ahead; in this sense, for the descendants of the European immigrants, race was an achieved, not an ascribed, status. Yet today we are told that the earlier immigrants were able to move ahead because they were white, and that the immigrants of today will have trouble doing so because they are not white. At best, this view drastically needs to be fleshed out with historical detail and more nuance; at worst, it mistakes cause and effect.

The new immigrants and blacks

The recent historical treatment of "whiteness" attends to the processes by which European immigrants distanced themselves from natives of African descent. In the words of social historian Robert Orsi, "Proximity—real and imagined—to the dark-skinned other was pivotal to the emergence" of the hyphenated identities that the European ethnics established in their own quest for acceptance in America. The struggle for place in a contested, ethnic order provided ample motivations for the newcomers to resolve any ambiguity over how their racial identity was to be defined. As Orsi writes, the "effort to establish the border against the dark-skinned other required an intimate struggle, a contest against the initial uncertainty over which side of the racial dichotomy the swarthy immigrants were on and against the facts of history and geography that inscribed this ambiguity on the urban landscape." Labor competition furnished additional incentives, though, as the Italians often found themselves pitted against the Irish, and the Irish against the Germans, the conflict over jobs does not suffice to explain why they all became white. But they did; and, in becoming white, the immigrants and their descendants also became party to strategies of social closure that maintained black exclusion and ensured more stable employment and better wages for others of their own kind.

Can today's immigrants draw on a similar ethnic card? The answer is not yet in, but there is no question that they certainly can try, especially when it comes to differentiating them-

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selves from poorer, less educated African Americans who fall at the bottom of the racial order. We all know about the tensions that suffuse the relations between African Americans and the new middleman minorities that run businesses in the Harlems and Watts of today's United States. These conflicts enable entrepreneurial, but visibly identifiable, immigrants to move to the advantaged, "white" side of America's racial division.

It is not that difficult to imagine that professional or entrepreneurial immigrants find rewards for falling on the "right side" of the color divide. We suggest that the same can even be said for the labor migrants, whose presence so many Americans now seem to dislike. That distaste notwithstanding, urban employers in New York, Los Angeles, or Chicago have come to prefer them to native-born American blacks.

As in the past, such racial conflict coexists with tensions among workers of diverging national or regional attachments. In Roger Waldinger's interviews with employers in the Los Angeles region, he repeatedly heard reports of bad blood between Mexicans and various Central American groups, as well as of intra-ethnic conflict within Central American populations. Nevertheless, far more Latino hostility seems to be directed towards blacks. "And I have to tell you that there is natural resentment between the two races," reported one manager referring to blacks and Latinos. "They do not get along well together in manufacturing." The owner of a large furniture company, with almost 40 years in the business, reported that

> the shop has always been 98 percent Latino. I have hired some blacks. But you put two men on a machine, Mexicans won't work with a black. [They will] aggravate him till he quits. They can't make it inter-racially. I'm not going to be a sociologist and tell them "you're in the same boat, you ought to work together." The only place where we have blacks is in the trucks, because they work by themselves.

Today, as at the turn of the century, the second generation will benefit from their parents' efforts to distance themselves from native blacks. But there is a rejoinder to the argument just advanced, namely the contention that the geographic and ethnic origins of the new immigrants leave them in no posi-

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tion to play the "race card." From this perspective, the influence of the past is important in that it defines today's newcomers as "people of color." Consequently, immigrants from Latin American, the Caribbean, or Asia will not be able to avoid being treated like a caste, unlike earlier immigrants.

One need only look at the present dynamics of white-Asian relations today to realize that the argument for this sort of historical continuity falls short. It is not just that legislated racial divisions now seem curiously barbarous; in crucial respects, the eradication of the legal barriers is paralleled by changes in social conditions. Asians at the bottom of the class structure there may be; but Asians throughout the class structure there are as well, in impressive numbers. And the educational achievement of large numbers of Asians ensures that, for significant numbers of second-generation Asians, the disappearance of low-skilled factory jobs will not be relevant to their economic advancement. Moreover, trends in intermarriage between the offspring of new Asian immigrants are far closer to historic trends in immigrant-native intermarriage than to historic trends in black-white intermarriage.

In contrast to the pattern that prevailed during the great immigrations of 1830-1920, a plurality of "races" is now evident in large numbers, nationwide. At the same time, white, Asian, Hispanic, and Native-American groups are intermingling in large numbers. The conjunction of these two facts alone may help diminish the significance of the black-white divide in American life. Another relevant factor is that a large portion of the numerous Latin American arrivals come with an interracial legacy, having "Indian" and/or black ancestors as well as white ancestors, adding a new layer of complexity to the race equation in America. The arrival of these new immigrants may end up helping to erode the centrality of the black-white divide.

The end of classifications?

Acknowledging these tendencies, we think, yields a pessimistic and an optimistic scenario. The pessimistic scenario suggests that the crucial line will remain between blacks and all others. Some "segmented assimilation" will occur, leading a

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fraction of the second generation to integrate into the black population and the rest into some, as yet, undefined category that may not be "white" in any meaningful sense. All we lack to make this scenario more plausible is a term in the popular culture to replace white—a term that can include Asians and Hispanics easily enough and that essentially means "native-born and not black." If that term does emerge, it would be a worrisome development.

The more optimistic forecast rests on the evolution of black-white relations themselves. It may seem worse than polyannish in a period of black-white tension to insist on the prospect for qualitative change in relations across that divide. Nevertheless, during the last presidential race, Republican leaders donned sackcloth and ashes because Colin Powell would not run as their candidate for the presidency. By contrast, during the previous great wave of immigration, a president who ate lunch at the White House with a black was obliged to claim that the luncheon was necessitated by busy schedules and was not a social function.

One needn't argue that black-white dynamics are at a happy pass to understand that they have shifted enormously for the better in the past six decades. It is significant that black-white intermarriage remains low; but, with 10 percent of young black men now marrying whites, intermarriage is no longer negligible and continues to increase. If the social class and educational situation of inner-city blacks is a national disaster, there is, nevertheless, also a serious growth in the black middle class and in black collegiate enrollment. The point is simply that the black-white divide, while remaining salient, is different from what it once was.

One measure of change, even in the most recent years, is the fate of the phrase, "the Browning of America." It no longer seems likely that the crucial divide of the future will be between non-Hispanic whites and all others who would be loosely united as "browns." Indeed, the term "the Browning of America" is as common today as was the term "the Greening of America" a generation ago—and about as reliable in predictive value. Another measure, along a different dimension, is the problem that federal agencies have in their attempts to fit the children of racial intermarriages into their racial classifi-

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cation systems. In our reading, these problems should be viewed as symptoms of transition to a time when those classifications seem quaintly passé.

Quotas, Jews, and Asians

There is little question that many, possibly even most, of today's second-generation children are heading upward, as exemplified by the large number of Asian students enrolled in the nation's leading universities, some the children of workers, others the descendants of immigrants who moved right into the middle class. The rapid Asian ascent evokes parallels with the past, most clearly the first- and second-generation Russian Jews who began appearing at the City College of New York, and then Harvard, Columbia, and other prestigious schools shortly after 1900. If there is similarity between past and present experiences of second-generation movement into the middle class, we are more struck by the distinctive institutional reactions to the Jewish, and later the Asian, inflows into higher education.

The history of the quotas against Jewish students is well known. By the second decade of the twentieth century, the number of Jews seeking admission to elite academic institutions was still a relatively small minority of the Jewish age cohort, but the numbers were nonetheless large enough to create a notable presence and to discomfit the then-dominant WASPS. By the end of the 1920s, Harvard, Yale, Princeton, and a host of other institutions, including public state universities, had all adopted measures that restricted Jewish enrollment. Professional schools followed suit. Decisive in changing these restrictive policies was the new legal and social environment that emerged during World War II and thereafter. By the 1960s, public opinion had changed, along with the law, ending the era of anti-Jewish discrimination in higher education.

An echo of this earlier controversy arose in the 1980s, amidst charges that prestigious colleges, private and public, had established quotas against Asians, just as they had against Jews several decades before. Asian students with records comparable to those of their white counterparts were not doing as well when it came to admission to the most selective, private institutions.

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And Asian enrollments, which had been rising quite sharply in the late 1970s and early 1980s, suddenly flattened out at schools like Princeton, Brown, Harvard, and Stanford.

If the pattern was reminiscent of the earlier Jewish experience and the underlying cause familiar—competition with white elites over scarce and valued resources—the controversy worked itself out very differently. In contrast to the earlier experience, Asian administrators, faculty, and students were numerous and influential, sufficiently so that their voices could not be ignored. Several of the universities accused of discrimination—Princeton, Harvard, Stanford, and Brown, to name just a few—took a critical look at their own admissions practices and then took steps that led to significant increases in Asian-American admissions.

Unlike the Jews, who in the 1920s and 1930s were isolated politically and intimidated by a rising tide of anti-Semitism, Asian-American organizations were able and willing to use political influence; which, in turn, galvanized the scrutiny of outside monitors. In California, admissions policies at UC Berkeley became highly suspect; then, as political scientist Don Nakanishi has described, the state's leading Democratic politicians "held numerous fact-finding hearings, intervened by bringing together university officials and Asian-American community leaders, passed special resolutions on admissions, and had the state Auditor General undertake an unprecedented audit of admissions policies." In Washington, both liberals and conservatives kept the spotlight on allegations of discrimination in admissions. The Office of Civil Rights undertook a major investigation of Harvard, eventually clearing it of charges of discrimination (though it did find that Asians suffered from preferences granted to alumni children and athletes).

There are a number of lessons to be drawn from the story of Asian and Jewish efforts to scale the ivy walls. In the strongly nativist, anti-Semitic environment of the 1920s and 1930s, organized efforts to overturn discriminatory practices were of little avail. Hence, the second generation was forced to fall back on the institutions of the ethnic community, which by the 1930s included civil-service employment as well as a large business sector. Changed power relations after World War II upended the exclusionary practices put into place dur-

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ing the inter-war years. Once quotas were removed, the Jewish presence on campuses swelled.

The Asian controversy arose in a completely different historical moment: Earlier struggles against discrimination—the struggles over the Jewish quotas themselves, the post-World War II political climate, and, not least, the civil-rights movement—had changed the rules of the game. It had become far more difficult for dominant groups to engage in strategies of social closure than it had been earlier in the century. The advantages derived from the more open society of the late twentieth century should temper generalizations about the determining position of skin pigmentation in the fate of the new second generation of immigrants.

The hourglass economy

But there is still the change in the economy to be considered. Portes and Zhou, as well as Gans, argue that the mismatch between aspiration and opportunity is greater today than before. In their view, the conundrum of the contemporary second generation lies in the continuing transformation of the U.S. economy. The manufacturing economy of old allowed immigrants and their descendants to advance economically and socially in the course of three of four generations. By contrast, occupational segmentation today has (in the words of Portes and Zhou) "reduced the opportunities for incremental upward mobility through well-paid, blue-collar positions." The declining viability of small business is thought to reduce the possibilities for advancement among immigrants' descendants. And the general stalling of mobility reduces the chances for ethnic succession: Jews and Italians followed the Irish into the public sector, as the latter moved on to more lucrative pursuits. Today's civil servants are unlikely to enjoy the same options, closing off this path of mobility for today's second-generation immigrants. Thus emerges the "hourglass economy"—many good jobs at top, many bad jobs at bottom, few decent jobs in the middle. How then will the second generation move up? This economic problem, coupled with the racial origins of the second generation, drives scholars like Portes and Zhou and Gans to their pessimism.

An exception to the hourglass effect is the offspring of the

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large fraction of immigrants who arrive with useful skills and educational attainments—let us say, educational attainments comparable to the median among American white workers. These immigrants can and do support an extended education for their second-generation children. The children of immigrants comprise 41 percent of the first-year students enrolled in the City University of New York—a rate that leaves immigrant children over-represented in the third largest public system of higher education in the United States by a factor of almost 50 percent. The New York experience is not unique: Nationwide, 74 percent of all college-age immigrants are enrolled in some form of post-secondary schooling, as opposed to 65 percent among the native born; likewise, in-school rates for 18- to 21-year-old immigrants are above native-born levels.

But what of the rest? First, recall that it is not only the supposed decline in demand for low-skilled work in the "new economy" that matters; there is also the matter of the supply of low-skilled workers, given several decades of high-volume immigration. The ratio of the two is what determines the fortunes of low-skilled workers, whether native or foreign born.

But this consideration aside, it does seem likely that the less educationally successful of today's second generation, especially those from the immigrant families entering near the bottom, will run into trouble. But do they differ, in this respect, from their counterparts of the past? Questions about the future of yesterday's second generation were a commonplace earlier in the century. At the time, contemporaries did not fret over the possibility that large numbers of jobs would remain at the bottom of an hourglass economy. Nevertheless, they observed that increasing proportions of decent jobs required extended levels of schooling. They also pointed out that the children of workers, generally, and the children of immigrant workers, in particular, would not obtain those jobs, unless they remained in school longer than it seemed their wont to do. The situation is remarkably similar today.

Finally, it should be emphasized that most employed persons without college degrees are neither immigrants, nor their children, nor native-born racial minorities. Thus, if the new hourglass economy obstructs the upward mobility of the children of immigrants or blacks, it thereby confronts American

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society, and all of its working-class families, with a very serious problem. For once it would seem true that we really can ignore ethnicity and focus on class.

Second-generation revolt?

The immigrants arrive willing to do the jobs that natives won't. However low the jobs may fall in the U.S. hierarchy, they still offer wages and compensation superior to the opportunities back home. Having been exposed to different wage and consumption standards from the start, the children want more. Such attitudinal changes inhere in the immigration process itself. Following MIT economist Michael Piore, who discussed this pattern in his 1979 study of migrant labor, *Birds of Passage*, we call this "second generation revolt." But Portes and Zhou emphasize an additional, alarming factor. Today's immigrants converge on central cities, where they live in close contact with earlier established, native minorities. Proximity to African Americans and Mexican Americans yields exposure to the "adversarial" norms of "marginalized youth." As immigrant children come into contact with the reactive subculture developed by native minorities, they undergo a process of "socialization" that "can effectively block parental plans for intergenerational mobility."

In the concept of an "oppositional" or "adversarial" culture we see the influence of the anthropologist John Ogbu. According to him, African Americans and other, supposedly similar groups respond to the experience of oppression and exploitation in America by creating an oppositional culture. On the one hand, the legacy of discrimination breeds ties of extraordinary, kinlike solidarity. Not only does group loyalty take primacy over the quest for individual achievement but any effort to break out from the pack is seen as a betrayal of the group and appropriately sanctioned. On the other hand, African Americans have pursued a strategy of cultural inversion, as have the other subordinated groups, responding to mainstream society's rejection by repudiating the mainstream and its values. As anthropologist Douglas Foley puts it, "This sort of occupational logic dictates that they must choose between being occupationally successful (white) and culturally successful (black). Quite ironically, the battle to preserve their ethnic

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culture becomes the very thing that dooms castelike minorities of color to academic failure."

But just as second-generation revolt is not a phenomenon distinctive to African Americans, or Ogbu's other caste-like minorities, there is good reason to assume that an oppositional culture does not characterize today's second generation alone. As we've emphasized, discrimination and stigmatization were well-known to the earlier generations of European immigrants. Whatever the faults of today's multicultural education, it could not possibly be as dismissive of the immigrants' background and culture as were the Americanization programs of the 1920s or 1930s. A common reaction to Americanization must have been resentment and opposition.

Nor should we forget that the virtue of solidarity has always been especially cherished by the working class. Consider Pete Hamill's memoir, *A Drinking Life*, about growing up as the son of an Irish immigrant in Brooklyn during the 1940s:

> In the final three years of grammar school at Holy Name, I always finished at the top of the class in grades, averaging 98 or 99, was placed on the honor roll and granted awards for general excellence. But there was an assumption that if you got good grades you must be soft, a sissy, or an AK—an ass kisser. This was part of the most sickening aspect of Irish-American life in those days: the assumption that if you rose above an acceptable level of mediocrity, you were guilty of the sin of pride. You were to accept your place and stay in it for the rest of your life; the true rewards would be given to you in heaven, after you were dead. There was ferocious pressure to conform, to avoid breaking out of the pack; self-denial was the supreme virtue ... it was arrogant, a sin of pride, to conceive of a life beyond the certainties, rhythms, and traditions of the neighborhood. Sometimes the attitude was expressed directly, by my friends or the Big Guys, or some of the men from Rattigan's [bar]. More often, it was implied. But the Neighborhood view of the world had fierce power. Who did I think I was? Who the *fuck* did I think I was? Forget these kid's dreams, I told myself, give 'em up. Do what everybody else does: drop out of high school, go to work, join the army or navy, get married, settle down, have children.

That the precise cultural content of the division related by Hamill is not that which Ogbu describes does not mean that it was less oppositional.

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Youth rebellion of old

Caroline Ware's book on the Italians of Greenwich Village in the 1920s and the 1930s sounds the same themes of skepticism toward the value of education, combined with cultural conflicts between school and community. "Among the boys in the district," she wrote, "it had always been very much the code to hate school. Although there is nothing unique in boys' antagonism to school, the intensity with which the local boys hated school was conspicuous." As Ware tells it, conflict had various roots: The curriculum and teachings had little in common with what the children learned in the streets; the schools disregarded the cultural background of the children; they also rejected the behavioral norms that the children had acquired at home, which "often set the children vigorously against the school." Writing contemporaneously, Leonard Covello recounts a similar story about the Italians of East Harlem; there the accent lies on the extraordinary cohesion of the Italian community and on the way in which parental pressures and children's preferences converged to produce high dropout rates by the high-school years.

Composed 25 years later, Herbert Gans's description of the Italians of Boston's West End, *The Urban Villagers*, differs only in degree: The students are poorly motivated; the parents are ambivalent; the schools clash with the attractions of the children's peer groups; the "junior high school principal's main problem [is] truancy, and the parental acquiescence concerning this." The school was "anathema to many" of the teenagers, in large measure for the reasons adduced by Ware 25 years earlier: It sought to train them for a way of life diametrically opposed to the one they had been prepared for at home. And a good part of that opposition stemmed from the parents' rejection of middle-class society and its values as well as their hostility toward individualistic striving.

Moreover, the accommodation to the routine of working-class life was often made grudgingly, and few of the 16-year-old boys who dropped out of high school, as did Hamill, made a beeline for the factory. Instead, they spent their time on the street corner, hanging around, drinking liquor, and getting into fights; Hamill describes the "times of the gangs," in pages differing little from those of today's newspaper, only in that the arsenal of violence was not as complete. Whether gangs

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were present or not, the nature of the youth labor market made for an extended "moratorium," as economist Paul Osterman termed it, in which youth were excluded from positions of the primary or craft type. Instead, they bounced from one more or less casual job to another. Unstable employment was compatible with that form of protest against the routines and aims of both school and work described by Gans as "action-orientation": Youth "want the material appurtenances of modern life—especially cars and spending money—and they want to be freed from the routine-seeking society which 'bugs'—or imposes on—them." The youth labor market provided plenty of jobs, however boring and badly paid. With such bland alternatives, action-orientation could persist until other commitments forced a reckoning with routinization.

Thus the historical evidence suggests that an "oppositional culture" can emerge from the immigrant working-class experience without exposure to a "proximal host" comprised of visible, stigmatized, native-born minorities. It also suggests that the time frame for immigrant accommodation was extended and that we should not expect the transition to take longer today. Are there subtle differences between the rebellion of Piore's second generation, Ogbu's caste-like minorities, and the youth passing through Portes and Zhou's lowest path of segmented assimilation? There may be. But we are struck by how much is common among these descriptions, and how much of it is class based. And so we are reminded of the findings of the English sociologist Paul Willis. In describing rebellion among English youth, he shows us working-class adolescent revolt, pure and simple, with no ethnic dimension whatsoever.

Whether mainly or only partly a class phenomenon, the youthful revolt described in the paragraphs above is almost certainly conditioned by the subsequent opportunities that working-class children encounter. School could be flouted with relative impunity, as long as there was a vibrant factory-based economy accessible to unsuccessful students through the help of relatives and friends. The stronger the industrial economy, the greater the value placed on manual work, which in turn sanctioned youth rebellion and gave it a ritualized form.

Though the literature is fragmentary, it appears that these same circumstances persist, in attenuated form, in the remain-

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ing ethnic working-class enclaves in the Northeast and Midwest. One can certainly expect that similar conditions come into play in Los Angeles, where there is a thriving factory-based economy, and where Mexican immigrants and Mexican Americans are moving into the ranks of the skilled working class. But outcomes are sure to take a different form in a deindustrialized city like New York or a service-based city like Miami, where school drop outs have few alternatives and the erosion of the industrial economy has sorely devalued manual work. As these are also the conditions that have intensified the "oppositional culture" among native minorities, it may be common experience, and not exposure, that causes self-defeating rebellion among the children of the inner city, whether of foreign- or native-born roots.

Future prospects

The descendants of the last great immigration to the United States have now moved far up the totem pole; from the perspective of the 1990s, it is hard to imagine that their adaptation to America could have turned out differently. But this view of an inexorable climb up the social ladder is certainly not how the children and grandchildren of the European immigrants experienced the process themselves. Their beginnings, as we have noted, were not particularly promising; nor were the established groups of the time ready to accept the newcomers and their descendants. Even the most skilled of the lot, the Jews, found that rapid acculturation and the acquisition of schooling were not sufficient to open doors. The acquisition of full membership was an uncertain, protracted process to which the immigrants and their descendants contribued—both through attempts to undo obstacles to progress and to place themselves on the white side of America's racial divide.

At a minimum, this portrait of the past suggests that, overall, the children of the post-1965 immigration begin with disadvantages no greater than those encountered by immigrant children before. On the one hand, the class composition of today's immigrants is more heavily weighted toward the middle class than was true earlier in the century. And on the other hand, American society is more receptive to immigrants—in large measure because of efforts by earlier groups of outsiders

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(including native-born blacks) to widen access to opportunity.

We would conclude with two points—the relevance of class and agency. *Class*: While America's new immigrant population is extraordinarily diverse, its overwhelmingly largest component—the Mexicans—falls at the very bottom of the skill ladder; the Mexicans are even more heavily represented among the immigrants' children. Absent the Mexicans, today's second generation looks little different from the rest of the American population in socioeconomic characteristics. Those characteristics are not sufficient to guarantee satisfactory adjustment to the economy of the next generation; but the same can be said for young, third-generation-plus Americans of any ethnic stripe. The immigrant children most notably at risk are the Mexicans (most notable, surely, in numbers and as notable as any other immigrant group in the low level of economic well-being). It is the presence of a single large group, so far below the others in skills, that distinguishes today's from yesterday's second generation. However, we note that the advent of the new economy means trouble for the children of the native-born members of America's working class, who also find themselves in conflict with the middle-class values and expectations of schools. These are the main reasons why we should worry about the future for the offspring of Mexican immigrants and of other less-skilled newcomers.

Agency: As did their predecessors, the children of today's new immigrants will transform America. The relatively high class background of so many immigrant children makes it more likely that they will do so quickly and on their own terms—witness the contrast between the Jewish and Asian fate in higher education. That higher class standing is also likely to change the import of race, historically fluid except at the black-white divide, and currently under rapid transition even there. One can certainly imagine that some section of African Americans, Latin Americans, and Asian Americans will find themselves pigeonholed in some new, but stigmatized and subordinated "other" category. But there are other possibilities; and the ever growing ethnic diversity of American life—thanks, in large measure to immigration itself—suggests that these other possibilities are more likely. We expect that today's second generation will make itself busy reshaping the meaning of race—an endeavor to be pursued with at least some success.

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Telling the poor what to do

LAWRENCE M. MEAD

PATERNALISM is coming to American social policy. The trend is most visible in welfare policy, where adults are increasingly required to work or stay in school if they want to receive government assistance. In fact, today "welfare reform" largely means that the government seeks to supervise poor citizens. But paternalism can be seen elsewhere as well, for example, in policy toward the homeless, where shelters increasingly set rules for their residents, and in education, where states have instituted tougher standards for school children. Some drug programs test addicts for compliance, and the criminal justice system has experimented with closer monitoring of offenders on probation and parole.

Sometimes, paternalism is directed toward the general population. Government does many things to prevent citizens from hurting themselves; it must do so, because people are not completely self-reliant. For example, government makes credit-card companies state their interest rates on unpaid balances

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to protect consumers who might not understand the fine print. Similarly, most states require automobile passengers to wear seat belts, even though self-interest should lead them to do so without prompting. Even Social Security is paternalistic in the sense that it forces people to provide for their own retirement. Paternalism in the sense that I use it here, however, means supervisory policies directed toward the poor or disadvantaged, or at least members of these groups who become dependent on the society, either through the welfare or the criminal justice systems.

Defining paternalism

Pre-paternalism social policy had two principal dimensions, both largely still in effect: First, welfare supported the destitute, mainly female-headed families. The main qualification for receiving welfare was financial need. Recipients did not need to meet any behavioral standards. The most noted of these programs was Aid to Families with Dependent Children (AFDC), recently changed to Temporary Aid to Needy Families (TANF). Second, government sought to reduce anti-social behavior mainly in men, by enforcing the criminal law, anti-drug ordinances, and child-support requirements, but especially by apprehending wrongdoers. Both welfare and law enforcement left people free to behave as they like, on the assumption that they would usually follow society's norms and interests. If they did not, government acted against them, but only after the fact.

Under paternalism, welfare programs still exist, but they become more demanding; now, under a philosophy of "social contract," recipients must satisfy behavioral requirements, such as working or staying in school, as well as income rules in order to get aid. And law enforcement becomes more active: It now not only apprehends criminals but attempts to forestall wrongdoing by monitoring past offenders. In both welfare and law enforcement, paternalism sets up administrative devices that oversee clients. These structures are its defining features.

In two key ways, the goals of social policy change. First, paternalism puts *more stress on enforcement* than does traditional policy. By enforcement, I mean action taken to secure

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compliance with values that are not themselves contentious. Much that government does—for example, allowing or forbidding abortion—brings about conflict over values. But the values served by paternalism—the work ethic and obedience to the law—are usually not disputed. Rather, the political issue is whether to *require* that people actually conform to the agreed values. Advocates of paternalism believe that norms should be obligatory, and they take steps to improve enforcement.

Policies that enforce must be directive. That is, they must tell people what they are supposed to do. Thus paternalism includes policies that make school attendance compulsory for children or require welfare recipients to work as a condition of aid. It excludes programs that seek to influence behavior through benefits or opportunities without telling people what to do. For example, paying children to attend school or improving financial incentives for aid recipients to work might be effective; but, because these steps leave attendance or work as a choice, they are not paternalistic. Nor are education and training programs for the disadvantaged paternalistic if participation is voluntary. Nor are social-work services paternalistic if they are non-directive toward their clients.

Social policy changes in another way: Paternalism asserts the *authority to judge individual interests*. Society claims the right to tell its dependents how to live, at least in some respects. Whereas traditional policy defers to the capacity of clients to live their own lives, paternalism assumes that they need direction by others in order to achieve even their own self-interest, let alone society's. Paternalism thus goes beyond the mere regulation of behavior. When government forces businessmen not to pollute the environment, it is not acting paternalistically. For there is no pretense that its demand serves the immediate interest of those regulated, although they share the public's interest in a clean environment. However, when the government requires children to be vaccinated, it is acting paternalistically. It is assuming that the social and individual interest coincide. Society has decided that for children not to get their shots is not only harmful to others but to the individual as well.

Paternalism thus violates John Stuart Mill's famous "harm"

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principle, stated in *On Liberty*, according to which "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm *to others*" (emphasis added). The violation of the principle lies less in the small amount of coercion involved than in the assumption that government can know and serve its clients' own interests better than they would themselves. That belief may seem unwarranted, for if those subject to enforcement agreed with the ends served, they would "do the right thing" on their own. But this assumes that behavior is consistent with intention. In fact, the clients of paternalism usually do accept the values being enforced; certainly they express a desire to work. However, they commonly fail to conform to these values in practice. Paternalism seeks to close that gap.

The social contract behind benefit programs should be seen as an enforcement device. Government can lock up criminals and exact child support without giving the men involved anything in return, just as it penalizes stock brokers for violating the securities laws. Paternalistic income programs, however, use the benefits on which people depend as a lever to secure compliance. Access to welfare or shelter for the homeless then involves a bargain. Society in effect says to the clients, "We will support you in need, but only if you behave in ways we expect." The close supervision that accompanies paternalistic programs is also an enforcement device. Because the clients are not presumed to follow their own interest well, staff must check up on them to be sure they fulfill their obligations. Misbehavior is not just sanctioned but preempted by the oversight of authority figures, much as parents supervise their children. Supervision is the essence of paternalism.

A return to the past?

As historians point out, concerns over the "deservingness" of the needy are as old as poverty itself, and efforts to reform the recipients are as old as welfare. One interpretation of paternalism is simply that America is, indeed, returning to the past. In the nineteenth century, aid to the needy was grudging. It was partly given by local governments, partly by churches and other nongovernmental bodies, and it was given only within

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a moral framework. Social workers often demanded that recipients control their sexual desires or change their parenting practices as a condition of aid. Welfare funded by state and federal governments emerged only in this century, and only in the 1960s did AFDC stop setting behavioral conditions on aid.

Some might view paternalism simply as an attempt to restrict aid and restore behavioral rules. But, in two respects, paternalism should be distinguished from earlier instances of social control. First, paternalism in welfare does not primarily involve attempts to restrict access to aid, in the sense of tightening the eligibility rules. Rather, it involves adding obligations to the earlier welfare rights, not undoing those rights. Access to aid is still determined by rules; it is not left to the discretion of case workers. Behavioral rules have been added to the financial requirements. All the rules are set by legislative enactments that are highly public, not devolved to the invisible control of administrators. Such demands do not depend on an individualized finding of fault, and are thus less invidious than the old paternalism. Government is simply levying the same demands on the dependent that other people face, and these are justified on general grounds. Of course, the rules must still be applied to cases, and here some discretion is inevitable.

One may regard behavioral demands as *de facto* restrictions on eligibility, since not all who might get aid manage to comply with them. But demanding good behavior of those who receive aid is still distinct from denying them help. Indeed, some common welfare changes, such as more generous financial work incentives, have the effect of easing access to welfare for those who are working.

The other departure from the past is that today's paternalism is mostly government led. Before 1960, the main pressures the poor faced to conform came from popular sentiment, churches, and philanthropic bodies that sought to promote education or moral improvement. And to the extent social control was governmental, it was mostly local. For instance, public schools and police tried to discipline the immigrants who flooded into eastern cities at the turn of the century.

Today, in contrast, the funding and the authority for direc-

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tive policies comes largely from public officials. In poor areas, government is trying to perform the ordering role that it formerly left to private society. This partly reflects the collapse of voluntary social organizations in these neighborhoods and, partly, the general growth of government. Also, much of the initiative is now federal. Washington mandated welfare work standards, and it has urged tougher standards in education and law enforcement, although these policy areas remain largely nonfederal.

These shifts reflect a profound political change. Until recent decades, poverty and welfare were seldom issues on the national agenda. National politics was dominated by disputes over federalism, economic policies, class, and race. The labor and civil-rights movements raised questions largely about employment status and equal opportunity respectively, not poverty or dependency. Prohibition is the only instance where Washington directly tried to control the lifestyle of citizens, and it was abandoned. After 1960, however, poverty landed squarely on the national agenda. And at the center of the poverty debate has been the vexed question of welfare. As poverty and dependency became more visible problems, measures to deal with them became more governmental and more federal.

At the same time, the trend in the immediate past has been devolution to lower levels of government. That shift, which goes back to the early 1980s, was sharply accelerated by the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, which replaced AFDC with TANF and gave more control over the program to states. Some observers fear that this trend, together with paternalism, may signal the coming privatization of welfare. The nation may once again entrust aid to the needy to private bodies with only a small governmental role. Some conservatives advocate this, believing that only the private sector can really cope with poverty. It is true that some private religious organizations, such as the Salvation Army, seem notably effective at serving the poor. It is also true that, even when programs remain public, nonprofit bodies operating as contractors to government are often good at implementing them.

Most likely, however, social policy will remain essentially

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governmental. Public social policy initially arose in the Progressive and New Deal periods because private charity could not cope with the scale of urban poverty, nor could it today. Moreover, most private groups involved with poverty seek to avoid the directive stance toward the poor required by paternalism. Thus paternalism must rely on government's authority as well as its funding. Only public officials acting with the mandate of the people have the authority needed to tell the poor how to live.

Paternalism involves elements of privatization and devolution, but it is still government led. The result may be a new form of welfare state that transcends the old opposition between the public and private sectors. Certainly, paternalism is distinct from the social policies traditionally advocated by either the Left or the Right in America. Paternalism is conservative in that it focuses on changing how the poor live rather than on improving their benefits or opportunities. It seeks order rather than justice, and social critics might call it "blaming the victim." On the other hand, paternalism is a liberal policy because it is progovernment. It may reduce dependency, but it expands government's mission. Now social agencies attempt not only to help those in need but to reorganize their lives.

Political causes

In the 1960s, when liberals proposed expanding welfare, the nation enjoyed a rapidly expanding economy, a balanced budget, and steadily growing personal incomes. In contrast, America in the 1990s is just now balancing its budget, and the real earnings of most Americans are stagnant. Thus one might understand the emergence of paternalism as a result of more stringent economic times. Telling the poor how to live may cost less than giving them more income or services. It may reduce the welfare rolls and thus the cost of poverty for the rest of the society. However, paternalism also places new demands on government. It may be less costly than expanding welfare, but it is more costly than simply cutting access to aid. So budgetary concerns are not the only reason for the emergence of paternalism.

Another political factor is the conservative tide in electoral politics. It is difficult to imagine liberal Democrats, who

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tend to favor a benefit-oriented welfare state, developing supervisory measures. Republicans have expanded their power in Washington greatly in the last 30 years. At the state level, a comparable shift has occurred. Republican governors have advanced in numbers, and, after the 1994 elections, they controlled a large majority of the states. Some among them—Tommy Thompson in Wisconsin, John Engler in Michigan—made their names chiefly as welfare reformers, and the changes they favor have been paternalistic.

But electoral trends also cannot totally explain paternalism. The traditional Republican approach to poverty was simply to cut back programs and benefits and to rely more on the private sector to generate opportunity for the downtrodden. Paternalism is a big-government form of conservatism, and this has caused some in the GOP to question it. PRWORA stiffens work requirements in welfare, but it also cuts welfare benefits and coverage to save money and deter unwed pregnancy. It also devolves much control over assistance to the states. The GOP is still of two minds whether to use government to enforce values, as paternalism involves, or simply to cut government back.

The best political explanation is public opinion. Paternalism appears to be the social policy that most Americans prefer, to judge from polls. Political elites criticize government for being too large or too small, but the views of voters are more complex. Typically, people blame government for neglecting the needy, but they also blame the parents of poor families for bearing children out of wedlock and failing to work. They want families aided, even generously, while the adults are made to work and otherwise behave well. That combination is exactly what paternalism attempts to deliver. The recent advance of directive policies in welfare, education, and elsewhere represents the triumph of social opinion over political ideology.

The social problem

A further explanation for the advance of paternalism is the change in the nature of the social problem. Until the 1960s, poverty and its associated evils were not at the center of national social policy. Other issues predominated, in particular

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those of class and race. American workers fought for union rights and for governmental protections against the insecurities of capitalism. Black Americans carried on a legal, and then a political, campaign to dismantle Jim Crow and other barriers to equal opportunity. The feminist movement soon fought its struggle for sexual equality, and, later, the gay movement would seek equal recognition for homosexuals. Issues of low income, welfare, and other social problems were not absent, yet they were subordinate to the issues of equality and opportunity pressed by the reformist movements.

Similarly, when poverty was "rediscovered" in the 1960s, it was at first widely seen as a byproduct of the historical disadvantage suffered by black Americans. It was believed that by passing civil-rights laws, the social problems linked to blacks, such as welfare and crime, would abate. Unfortunately, this did not happen. The civil-rights movement succeeded, and the black middle class grew, but the social pathologies of crime, unwed pregnancy, and welfare dependency continued to worsen during the 1970s and 1980s.

Some would argue that past reform efforts were insufficient, that poverty is still the byproduct of larger societal problems. They point out that, starting in the 1970s, the economy generated proportionally fewer well-paying jobs accessible to the low-skilled than it did in the 1960s, and that blacks still face discrimination in employment and housing. But, if wage stagnation has made it harder to enter the middle class, massive job creation has driven employment levels in the general population to the highest levels in history and attracted unskilled immigrants from around the world. And although racial bias remains in America, it has declined, and at the very time that poverty has increased in the inner city. Racism no longer accounts for poverty in the way it once seemed to. The case for social reform as an antipoverty policy is thus weaker than it was a generation or two ago. As a result, poverty and its associated disorders now matter in their own right, not only as aspects of other issues. In view of this history, it is difficult today for policy makers to keep arguing that the public demand for order reflects prejudice and that some further social reform must be achieved first.

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Policy history

Disappointment with traditional antipoverty policies has also driven government toward paternalism. Throughout the 1960s and 1970s, the nation counted on economics and opportunity to reduce poverty. At the federal level, and in many states, cash and in-kind transfers to low-income people grew markedly in coverage and generosity. The federal government committed itself to maintaining full employment, and it abolished overt discrimination against racial minorities. By these means, the early years of the War on Poverty achieved much. Social Security and disability programs sharply reduced poverty among the elderly and the impaired. Meanwhile, increases in employment as well as real earnings lifted most of the working poor above the poverty line. Anti-bias measures, and the energies of black students and workers, expanded the black middle class. Between 1959 and 1973, the poverty rate fell from 22 percent to 11 percent for the population, and from 55 percent to 31 percent among blacks.

But, after the early 1970s, progress ground to a halt. The main reason was that, as poverty fell, the remaining needy proved difficult to help. The reason was not, as the popular image has it, that most of the poor consisted of the young and the old. These groups actually declined as a share of the poor because Social Security lifted most of the retired out of poverty and the size of families fell. By 1995, only 40 percent of the poor were under 18 years of age and only 9 percent were 65 or over. Rather, the problems were to be found among those of working age. They grew from 42 percent of the poor in 1959 to 51 percent in 1995. Few of them worked regularly and that was the immediate cause of most family poverty. Government might have overcome their need the same way it did poverty among the elderly, simply by expanding benefit programs, but questions of "deservingness" got in the way. Liberal plans to expand welfare were defeated in the 1960s and 1970s, mainly because Congress demanded that poor adults show more work effort before government did more to help them. That demand eventually led to today's paternalistic welfare-to-work programs.

Meanwhile, compensatory education and training programs, such as Head Start, tried to reduce poverty by improving the

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skills and wages of the younger poor. But they achieved only modest success. Evaluations establish that well-run family and skills programs can improve the prospects of children and trainees. The gains in employment and reductions in welfare and crime often repay the cost to society. But they are not large enough to make a visible dent on the poverty problem.

Other problems linked to poverty became worse during the 1970s and 1980s. Crime soared as gangs involved in the drug trade took over ghetto areas. Substance abuse caused the collapse of many families. Homelessness mushroomed, for reasons only loosely connected to economic or social conditions. These trends made it clear that poverty was not simply a lack of income. The inner city came to represent, in the mind of the public, a broader breakdown of order. And it was difficult to imagine any program of the traditional, benefit-oriented kind that could restore order.

This was the historical context that spawned paternalism. Although federal leadership was important in welfare, much of the initiative came from localities or from private groups. The implication of the new emphasis was not necessarily that the poor were responsible for their own problems or that prior antipoverty programs had failed. Rather, it was that service and benefit programs alone could not defeat poverty when it was heavily linked to behavior. Even if government accepted responsibility for poverty, the poor themselves had to work more regularly, stay in school, and avoid unwed pregnancy and crime if they were to progress. The onus for overcoming poverty had to rest, at least in part, on them.

Changed assumptions

The traditional language of policy analysis, especially in Washington, is economic. Programs are understood in terms of budgets, benefits, and benefit-reduction rates. One "invests" in the poor through benefits or services and waits for them to respond. Programs are supposed to widen the opportunities available to the disadvantaged, who then make decisions, such as marrying or going to school or working, which lead them out of poverty. After programs are instituted, one evaluates the effects and adjusts the benefits or incentives accordingly.

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Paternalistic programs, in contrast, are more activist, and they are seen in administrative and prescriptive terms. They still cost money and provide benefits, but they also levy behavioral requirements. That implies a less passive view of what social policy does. Programs do not simply "invest" in people and evaluate the response. Rather, they prescribe certain actions, such as work, and require the clients to conform.

Traditionally, administration was seen as a tool to deliver policies conceived in economic terms. Such are the problems of bureaucracy in America that some economists have tried to minimize administration by delivering benefits through vouchers or market mechanisms. Paternalism gives up that hope—for now not only benefit delivery but *policy itself* is administrative. The goal is to supervise behavior, largely outside institutional walls, something that can only be done by routines where staff members check up on clients. No incentive can suffice. Public management becomes a much more critical dimension of social policy than it ever was before.

Another departure from the usual policy analysis is that paternalism emphasizes the obligations of clients rather than their needs or rights. Traditional antipoverty policy is compensatory. It attempts to offset the disadvantaged backgrounds of the poor. This is the form of policy most consistent with American political culture, with its strong emphasis on freedom. The Left and Right both favor freedom, although they differ in what they mean by freedom. For liberals it means extending public benefits and protections to shield the poor from the pressures of society; for conservatives it means cutting back government to reduce interference with the marketplace, which is seen as the engine of opportunity. Both those who see "more" government as the answer to poverty and those who want "less" are selling freedom in some form. In contrast, paternalism emphasizes obligations. The idea is that the poor need support, but they also require structure—a combination of help and hassle. Behavioral rules are to be enforced through government, not simply by denying people aid so they are exposed to private suasion (the traditional conservative wisdom).

The implications are particularly momentous for racial minorities, who are overrepresented among the poor. Under-

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standably, federal policy toward these groups has emphasized the dismantling of barriers, because past denials of equal opportunity are central to their disadvantages. Paternalism applied to the black poor can easily seem like a return to slavery or Jim Crow, at least to critics. But although racism undoubtedly helped demoralize the ghetto, discrimination in the old sense is too minor a cause of poverty today to justify further anti-bias measures. Employed blacks, not the nonworking, are the likeliest to face unfair treatment by whites. It's the better-off—of all races—who shun the black poor, mostly out of prudence, not bigotry. In addressing poverty, policy today must address the lifestyle patterns that sustain stereotypes and that prevent the poor of all races from taking advantage of their opportunities.

Freedom and competence

Discussions of freedom in America tend to define it as the absence of restraint. But people who live without limits soon sacrifice their own interests to immediate gratifications. To live effectively, individuals need self-restraint. In this sense, obligation is the precondition of freedom: Those who would be free must first be bound. And if people have not been effectively bound by functioning families and neighborhoods in their formative years, government must attempt to provide limits later, imperfect though they must be.

Even more fundamentally, paternalism attacks the assumption of individual efficacy that underlies traditional social policies, whether liberal or conservative. Established benefit and opportunity programs take it for granted that poor clients are as able as other people to take care of themselves. I call this premise the "competence assumption." It lies behind liberal measures to suppress discrimination, train the poor for better jobs, or reduce the financial disincentives when welfare recipients take jobs. The conviction is that if one opens up more jobs to the nonwhite, raises their skills and wages, and "pays" them to work, more poor adults will escape poverty, because it is in their self-interest to do so. Conservatives, for their part, see government programs and regulations as the "barriers." But to cut these back also makes an appeal to competence, for it assumes that, once the dependent are denied

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support, they will work and support themselves for lack of alternatives.

Unfortunately, incentives have not shown much power to alter the actual behavior of the poor. Particularly, the effect of welfare incentives and disincentives on work levels among recipients is small. This is hardly surprising, since the chief behaviors—nonwork and unwed pregnancy—that precipitate poverty for the working-aged would be avoided by most people on the basis of self-interest alone, without further suasion. Long-term poverty and welfare are substantial problems, and social barriers cannot explain this. An unorthodox lifestyle would still be consistent with competence if the poor rejected conventional employment and family life. But this too is false. Again, most poor individuals accept conventional values. This inability to achieve one's *own* goals, let alone society's, is the reason why benefits alone do not overcome poverty. It is this great fact that brings competence into question and justifies paternalism.

Paternalistic programs do not take competence for granted; neither do they excuse the poor from all expectations, as some liberals would do. Aid is not given as an entitlement, but in return for good behavior. Neither is all aid denied, as in the traditional antigovernment policy. Paternalism aims to provide the poor with the combination of aid and structure that they seem to need.

An assessment

The case for paternalism is practical. Supervisory programs seem essential to address today's poverty, which is aggravated by the lifestyle of many of the poor themselves. Typically, welfare employment programs that enforce participation and require actual work from their participants, outperform those that are voluntary and allow education and training ahead of work. While most such programs still have limited effects, the best one evaluated to date, in Riverside, California, raised the employment of its clients by a quarter and their earnings by a half over three years. Demanding programs in Wisconsin have shown a power to "divert" would-be recipients from going on welfare. It also appears that programs for teen mothers that tell them clearly how to behave have a more positive effect

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than those that are non-directive.

The main caution about paternalism is that people may be hurt. The programs make demands on their participants, so they must be ready to enforce these by denying benefits to the uncooperative. That may lead to inequity, where people are penalized unfairly, or hardship, particularly to children. Fortunately, there seems little basis for these fears to date. Most welfare recipients, like most voters, approve of work requirements. In welfare employment, people are "sanctioned"—have their grants reduced—mostly for failing to show up for assignments, not because of active conflict with the program. The programs generate most of their impact by promoting higher work levels, not by throwing people off welfare.

There also appears to be far more room to drive the welfare rolls down than anybody believed until recently. Since 1994, the TANF caseload has dropped by around one-third nationwide, and, in the last decade, it has fallen by around three-quarters in Wisconsin, where welfare reform is especially advanced. The declines reflect stiffening work enforcement as well as good economic conditions. And little evidence of hardship has surfaced. Research to date suggests that, of those who leave welfare, about half become employed while the other half get help from families or other sources. Economically, some are better-off, some worse-off, but at least they are more self-reliant.

The chief drawback of paternalism is that it makes heavy demands on government. Programs must seek not only to help the needy but to supervise their lives. It is difficult to get agreement to do that from politicians. Liberals tend to oppose enforcing standards while conservatives oppose spending the required money on staff and support services. It is also difficult to administer requirements. The localities that have implemented paternalism well, such as San Diego and Wisconsin, had the advantages of an unusual consensus behind reform and a talented bureaucracy. Currently, few cities or states with serious social problems can say the same.

The final problem with paternalism is that it conflicts with American values. Paternalism, after all, means government oversight of the personal lives of dependent adults. In the land of the free, this is not welcome. Such activity is demeaning, for

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it implies that these individuals cannot manage their own lives. The injury would be most tolerable if the need for oversight were temporary. Perhaps after paternalism had organized the poor for a period, social disorder would abate, and the controls could be dismantled. The nation could return to a social policy based on economics and opportunity. Unfortunately, no social program, going back to the work houses and reformatories of the nineteenth century, has succeeded in reshaping adult character. Social policy confronts psychological determinism—the tendency of very early experience to dictate later life. It is behavior that social policy can change, not personal capacity. Most likely, many of the dependent who now function poorly will require supervision for as long as they depend on public support. The main gain might come in the next generation, when their children should have a better chance to live autonomous lives.

A more hopeful view is that, while social enforcement will remain necessary, it might become less governmental. If public programs can help restore a healthy society in poor areas, there will be more chance for private organizations, such as churches and community groups, to recover their strength. When more people work and obey the law in a neighborhood, more also can cooperate for common ends. These private structures could then provide much of the social control needed to maintain order, and the role of public authority could recede. As ever in America, the public sector is not the center of our common life. It compensates for the ills of the private sector, but, when society is healthy, there is less need for governance.

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The therapeutic society

FRANCIS FUKUYAMA

WHILE the sentiment behind bumper stickers reading "Kill All Lawyers" is fairly widespread among Americans, the feeling "Kill All Psychologists" is much less common, as are jokes about inane or greedy mental-health professionals. After reading James L. Nolan's brilliant analysis, *The Therapeutic State*,† it is not at all clear why this should be so. Like lawyers, the numbers of psychologists, psychiatrists, therapists, mental-health counselors, and the like has exploded in recent years. With the authority of modern science, this group has purveyed what he calls the "therapeutic ethos" much more thoroughly, and to much more deleterious effect, than litigiousness and other evils associated with the legal profession.

The therapeutic ethos is a manifestation of the crisis of modernity, the same phenomenon that has been analyzed at length by Peter Berger, Alasdair MacIntyre, Michael Sandel, and countless others. But, in today's America, the "homeless self" has been repackaged for Donohue or Oprah. Traditional religions like Christianity understand man as sinful and seek to constrain this sinful nature by moral rules established by an authority higher than man himself. While discarding transcendental authority, the natural-right teaching of the Enlightenment similarly argued that reason dictated universal rules for the ordering of society based on a concept of human nature.

Since then, of course, much of Western thought has reversed this understanding, arguing that human beings are by nature good and that evil and unhappiness can be located in the constraints put on them by external authority. In its contemporary psychologized version, the object of therapy is to liberate the authentic and unfettered self from these externally imposed rules. Alcoholism, drug dependence, sexual obsession, and the like have been reclassified from moral failings to

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diseases over which the individual has no control; even laziness is diagnosed as "attention-deficit disorder" and treated with the drug Ritalin. Imperceptibly, the object of worship has shifted from God to the self, a self that, at its core, consists not of reason but of feelings. Human beings become socially related primarily through the expression of emotion and by empathizing with its expression in others.

NOLAN shows just how deeply embedded the therapeutic ethos has become in a host of different areas of public policy. Public education in the United States, for example, was heavily influenced in the nineteenth century by Protestantism and stressed the development of character. This meant discipline, hard work, and obedience to authority external to the self, even after public education had been thoroughly secularized. Today, the therapeutic approach to education is epitomized by the self-esteem movement that began in California in the 1980s as the brainchild of Assemblyman John Vasconcellos.

Self-esteem is to be built, according to a legion of contemporary school counselors, not through hard work and self-discipline but by getting in touch with one's feelings. According to the California Department of Education's self-esteem task force, "All feelings are honorable.... By themselves, feelings are neither good nor bad. They are clues to our most crucial concerns, our deepest commitments, our needs, and our wants." The Rousseauian origins of the self-esteem movement are clear in Vasconcellos's own words: "It is the latter vision—that human beings are innately inclined toward good and that free, healthy people become constructive and responsible—which underlies the philosophy and work of ... the self-esteem movement." And indeed, the self-esteem movement seems to have succeeded in raising American children's view of their own worth: In one survey, 68 percent of American students felt that "they were good at mathematics," compared to only 23 percent of Koreans, despite the fact that the Koreans scored highest in actual math achievement while the Americans scored the lowest.

The therapeutic ethos pervades many other areas of state activity as well. In tort cases involving personal injury, the number of cases involving "emotional damage"—a category barely recognized earlier in the century—has exploded, rising 600 percent between the late 1950s and late 1970s. The idea that hurt feelings can constitute a form of personal injury

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protected not just by civil but in some cases criminal law is now embedded in the American legal system and has become the basis for many sexual-harassment claims. (In an excursus on the Clarence Thomas-Anita Hill hearings, in which therapeutic themes were rife, Nolan quotes Senator Leahy repeatedly pressing Hill to expose the depths of her anguish at Thomas's alleged behavior. "'I was embarrassed ... It just made me feel very bad about the whole situation,'" said she.) Drug policy, particularly under the Clinton administration, has shifted from deterrence and enforcement of criminal penalties to therapy under the aegis of so-called Drug Courts whose judges are steeped more in Freud and Carl Rogers than the law. Welfare policy as well, and programs like Head Start, have been justified not in terms of education but in terms of the self-esteem that they provide to poor children.

PRESIDENT Bill Clinton epitomizes, for Nolan, the direction of modern therapeutic politics. Clinton is, after all, the candidate who explained how he "feels your pain," who pioneered the Oprah-style town-hall meeting, who readily volunteers painful episodes from his own life like his brother's drug addiction. His wife Hillary Rodham Clinton is a friend of Michael Lerner and a proponent of the "politics of meaning." Republicans, however, should not feel superior on this score. As Nolan points out, in tort reform, crime, education, and welfare reform, conservatives (including religious conservatives), have felt free to make use of the language of emotivism, self-esteem, and empathy. It was Newt Gingrich, after all, who brought a corporate psychologist to a Republican retreat and Republican candidates Bush and Dole who felt they had to "emote" in their campaigns, however inept and uncomfortable it made them feel. In this, as in other areas, Clinton reflects, rather than shapes, the times.

Some may feel that the examples of psychologized rhetoric given in Nolan's book aren't really all that important, and that while Americans may today justify their actions in terms of self-esteem and authenticity, they in practice pursue an older form of self-interest. Nolan believes, rightly in my opinion, that the issue goes much deeper than that. The American regime's sources of legitimacy lie historically in a combination of Lockean liberalism, classical republicanism, and sectarian Protestantism. All three sources were traditionally used to justify public policies from the abolition of slavery to the entry into World War II. Today, however, those sources of legiti-

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macy have been severely eroded; religion and virtue, in particular, have little collective resonance and have been replaced by the therapeutic ethic's commitment to the untrammeled self. But this new religion of the self that tells us to honor others by honoring ourselves first in our public and private lives is no substitute for traditional religion and cannot constitute a source of civic virtue.

IF there is a weakness to this book, it is in the title and its focus on the state. As the author himself demonstrates at many junctures, the enshrining of psychological language into public policy has more often followed than led social practice. The real issue is not the harm that misguided educational or criminal-justice policies stressing self-esteem can do but, rather, the harm that society does to itself by holding up no higher standard of behavior than the unfettered self and its emotions. How many Americans have been abandoned by spouses who, armed with the rhetoric of psychology, felt the need for "personal growth," and how many divorcing parents have told themselves that what was best for them was *ipso facto* best for their children? How many citizens have been victimized by criminals who were more genuinely in touch with their deepest feelings and urges than their "repressed" counterparts from two or three generations ago? If by some miracle the therapeutic state were to disappear tomorrow, the therapeutic society would still exist, and most of the problems described in this book would still be with us.

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Reasons to smoke

DAVID SKINNER

THE indifference of smokers, though rarely noted these days, can seem infinite. A chain smoker I know once said, "I smoke so I have something to look forward to every fifteen minutes." Along with suggesting a lot of cigarettes in a life barren of interest, he articulated the intensely blasé philosophy of many smokers. Such an underwhelmed view can barely sustain acknowledgment of those who compare smoking to the Exxon Valdez spill or the tobacco industry to Nazi Germany. This disconnect between the fanatical ideology of public health and the feelings of many smokers can be summed up in the cynical words of one old, devout Catholic from the parish I grew up in: "I don't trust anyone who doesn't smoke." Not exactly the papal view, but then again, she obviously believed that no one is going to hell for smoking or to heaven for abstaining.

The available literature supports this picture of smokers gambling indifferently with their health. W. Kip Viscusi's 1992 book, *Smoking: Making the Risky Decision*, showed that smokers are significantly less risk averse than nonsmokers. When interviewed, smokers overrated the risks of smoking by a substantial margin, placing the risk of lung cancer, on average, at 38 percent (the risk is probably lower than 10 percent). Viscusi, an economist, was interested in measuring the rationality of smoking. Jacob Sullum, in his new book, *For Your Own Good: the Anti-Smoking Crusade and the Tyranny of Public Health,*[†] largely assumes the rationality of smoking. The benefits, he argues, clearly outweigh the costs, or else smokers would (like legions of ex-smokers) quit, however difficult that might be. Beyond this, Sullum goes only so far in attempting to know the secret thoughts of the smoker. His boldest effort comes late in the book:

[†] Free Press, 338 pp. $25.00.

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> The smoking experience ... involves the crinkling of cellophane, ... the click of a lighter or the crack of a match, the smell and taste of the smoke, the way it feels in the mouth and throat, the sight of it rising into the air. Smoking may be associated with quiet companionship or lively conversation, relaxation or intense work, sex or solitude. Smokers make statements with their cigarettes about their readiness to take risks, their attitude toward authority, their membership in a group, their receptiveness to seduction.

Although one can almost hear a writing coach in the background of this passage ("Imagine you're a smoker. Revel in the smells and sounds of being a smoker."), it pretty much hits the spot anyway. Smoking is a ritualized activity that requires no special occasion. It clings to everything about a person the way it does to one's clothes.

THE book does greater justice to many other aspects of the subject. *For Your Own Good* follows the story of tobacco from its origins in the New World through to the earliest reports, in the 1950s, establishing a correspondence between tobacco and disease. It is a journalist's account, with a brass-tacks style that could leave many an anti-smoking activist livid. In turn, Sullum takes up all the pertinent issues from the first Surgeon General's report through initial warning labels and press coverage of the dangers of smoking during the 1960s. The focus then shifts to the growing anti-smoking effort and the first attempts to sue tobacco companies. Quickly and effectively, the book covers the most important characters, medical reports, and legislation that lead us to the present situation today. The tobacco industry has reversed its position supporting a concession-filled, federally brokered agreement. Their strategy of appeasement turned belligerent when it became clear Congress would only consider an agreement with a significantly larger settlement cost and without any limits on future liability.

Sullum, a nonsmoker incidentally, is a senior editor at *Reason* magazine. Like most libertarians, he shows little readiness to estimate the exact feelings and thoughts of those different from himself. He characterizes the anti-smoking movement as simply "an attempt by one group to impose their tastes and preferences on another." His unsympathetic profile would seem, to some, more than deserving. Consider that anti-smoking activists have over the last two and one-half decades gone very, very far to stamp out tobacco in all its forms: Less dangerous

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alternatives like cigars, pipes, and chewing tobacco have been rejected as distractions from the greater overall mission; advances in smokeless cigarettes and denicotined cigarettes have been dismissed with statements like this one from Massachusetts Tobacco Control Program Director Gregory Connolly. "Tobacco is tobacco," he said. "It's like telling someone to jump from the fifth floor instead of the 10th." While many tobacco opponents have recoiled from the suggestion that they are seeking a prohibition against smoking cigarettes, it is hard to see in their rhetoric any limitations that would prevent such an outcome.

Surely not everyone who objects to smoking would agree with Surgeon General C. Everett Koop's statement in 1984, "I believe the ultimate goal should be a smoke-free society by the Year 2000." But you would have to be blind not to see, in the feuding over whether the proposed tobacco settlement goes far enough, the potential for a consensus built upon Koop's ideal. Later, the Surgeon General would say that he didn't mean a prohibition against smoking, but a prohibition against smoking in public. This is practically the case in Berkeley, California, which has some of the strictest anti-smoking laws in the country. Locals joke that to smoke outdoors, you have to go to the Mohave Desert.

Although Sullum is pretty unforgiving with the anti-smoking movement, the tobacco industry gets anything but a free ride. Sullum acknowledges that tobacco companies were thoroughly disingenuous about the dangers of smoking long after the health risks were irrefutable. Their legal strategy was a model of severity. If anyone sued, they realistically reasoned, the only choice was to make it too expensive to win. Once the tobacco industry lost one suit, it was clear, the avalanche would begin.

PERHAPS the most unusual aspect of the publicity war over smoking is that it now takes place largely in the absence of the smoker. Neither the sinner nor the sin has been much emphasized; rather, the focus has been on the producer of the means to sin and its involuntary victims: nonsmoking bystanders. In the section of his book most likely to cause disbelief, Sullum carefully reviews literature on the dangers of secondhand smoke. Failing to find a significant, causal role, Sullum argues that secondhand smoke is more like a nuisance—for example, loud music—than a health threat.

Sullum's account of the dangers of secondhand smoke or environmental tobacco smoke (ETS) focuses on the Environ-

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mental Protection Agency's decision, back in the 1980s, to categorize it as a carcinogenic. Despite studies reporting insignificantly low (but measurable) carcinogenic materials in the air space being used by smokers, the EPA publicized the dangers of secondhand smoke. They even carried their case to the point of muscling restaurateurs into "memorandum[s] of understanding" to make all eateries smoke-free. Sullum dutifully investigates: "Eighty percent of the epidemiological studies reviewed by the EPA did not find a statistically significant overall association between ETS and lung cancer, and none of ... eleven U.S. studies did."

This comes as quite a shock since reports on the danger of secondhand smoke have become increasingly dire in their conclusions. What often makes the headlines, one might conclude, is poorly executed science. The recent Nurses Health Study, for example, reported a high correlation between extended exposure to secondhand smoke and cardiac risks comparable to that which smokers face. Attacks on the study's design, along with its truly unlikely results, would eventually reveal its serious flaws sometime after its appearance on the front page of the *New York Times*.

Ours is not the first age to see tobacco products savored by some and reviled by others, as Sullum points out in the book's most entertaining section, on the early history of tobacco feuding. Sullum credits King James I with authorship of the first anti-tobacco polemic, *A Counterblaste to Tobacco*. Written in 1603, this book sought to undermine a wildly popular book on the medicinal plants of the New World by Niccolo Monardes which recommended tobacco as a remedy for coughs, asthma, intestinal worms, cancer, and many other maladies. James I condemned the plant along with those who introduced it to European explorers of the New World: "Shall we ... imitate these beastly indians? ... Why do we not as well imitate them in walking naked as they doe? ... yea, why doe we not denie God and adore the Devil as they doe?"

By 1964, when *Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health* was released, the position against tobacco had become far more scientific. The report concluded that "cigarette smoking is causally related to lung cancer in men"; that men who smoked were, on average, about 10 times as likely to die of lung cancer as nonsmoking men and that their death rate was 70 percent higher; and that "smoking is a health hazard of suffi-

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cient importance in the United States to warrant appropriate remedial action." So, while the animus against smoking is nothing new, the medical verdict against smoking has been practically irrefutable for over 30 years. The political winds have been blowing against smokers for about as long. What is new, Sullum reports, is the shift in the mission of public health from protecting citizens from dangers outside themselves to protecting citizens from themselves.

In argument, the competing rights of smokers and nonsmokers butt heads quickly. Nonsmokers can claim the right to be kept clear of any chemicals known to be carcinogenic or unhealthy in general, at any level, anywhere. Smokers can claim the right to do with their health as they want. Sullum's case ultimately comes back to the liberty to be free of the government's telling us how to behave. This case leaves the door open to arguments for the legalization of marijuana; indeed, throughout the book, the author makes use of the dangers of black markets to argue against a cigarette prohibition. But, aside from the moral that we should leave others be, his argument is surprisingly low on moralizing.

ONE might argue, as many have, that moral credit can only be granted for action taken voluntarily. Certainly, if smoking is wrong and government restrictions force many to quit, the now ex-smoker deserves no moral credit for this accomplishment. Without a reasonably clear and present danger posed to others, it is hard to see what justifies this usurpation of moral agency. Nothing in the medical literature supports statewide bans on smoking like the one effecting bars, recently adopted (but now facing a court challenge) in California. It is this very kind of presumptuousness that makes Sullum's description so apt: "one group of people imposing their tastes and preferences upon another."

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Dust bowl days

ROGER STARR

THE Oklahoma Dust Bowl, a sad Midwest farmers' depression within the Great Depression of the 1930s, has been forgotten by most Americans. But it was a troubling episode in the most troubling decade of the century. Pictures of Oklahoma, stricken by drought and winds that parched topsoil and spoiled crops, struck Americans at the time as signs that nature was adding its own punishment to the man-made economic disaster that appeared endless.

The Dust Bowl produced an icon to replace the Conestoga Wagon of westward-bound migrants in the previous century. Its emblem was a rattletrap, open Model T, piled high with family goods roped precariously in place. Younger family members, clinging to the ropes, sat or lay down on the cargo. Elders squeezed together on the seats. Gasoline was bought in small gulps, each stop providing a chance to add water to the radiator, always on the verge of overheating.

The migration was stimulated by leaflets distributed in Oklahoma by California growers, announcing that good jobs awaited in California. Lacking other grounds for hope as they abandoned their dry and dusty lands to mortgagees and lessors, migrants thought they might save enough California wages to buy a small California farm. They soon learned that wages were low and that small farms like those they had lost were few in the far West.

Charles J. Shindo, who teaches history at Louisiana State University, demonstrates in *Dust Bowl Migrants in the American Imagination*[†] that, despite their troubles, the migrant Okies continued to think of themselves as landed proprietors. What they wanted was the return of the property they had farmed, including the shabby homesteads in which several generations of progenitors had lived without plumbing or electricity. They

[†] University Press of Kansas. 222 pp. $25.00.

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might have welcomed a governmental mortgage moratorium enabling them to hold on. Many would have tried to use government credit to trade mules for tractors, and kerosene for electricity. Above all, they wanted their own land, not solidarity with other landless folk.

BUT, according to Shindo, the artists—the "communicators," he calls them—presented a very different vision of the Okies. Having read Steinbeck, seen Dorothea Lange's sombre photographs of migrant mothers against an empty sky, and heard country singer Woody Guthrie denounce private land ownership, urban elitists believed that Okies were the militant rural *avant-garde*. They imagined them to be allies of the workers in the struggle to replace the "corrupt American system."

Shindo seems determined, moreover, to make even finer distinctions between the philosophies of the several "communicators" who had interested themselves in the Okies. He tests the general reader's patience, elucidating fine points of doctrinal difference between John Steinbeck, novelist, and John Ford, director of the movie version of Steinbeck's *The Grapes of Wrath*. Although every line of dialogue in the film is taken directly from the book, Shindo argues that the novel took special interest in downtrodden Americans and hinted that concerted action might some day reverse the cruel system that kept them in thrall. In contrast, the movie under Ford's direction portrayed the Okies as cheerfully accepting life in government-built migrant camps. Shindo suggests that Ford, instead of pressing for mass action, was satisfied with the social policies of a Jeffersonian democracy.

At greater length, Shindo distinguishes between the significance of Lange's photographs of migrant mothers against an empty sky and the revolutionary savor of Woody Guthrie's lyrics. While these analyses have a place on a shelf of American regional histories, the reader is likely to be more interested in why the ideological heart of Steinbeck's novel thrilled book reviewers in the late 1930s and yet seems almost embarrassing today.

The heart of *The Grapes of Wrath* is a speech, repeated word for word in the movie, by the hero Tom Joad. The Joads are Okie migrants who reach California and, after many tragic, even brutal vicissitudes are, at the end of their saga, finally in view of what they have been told are decent jobs. Tom, having come to believe that more is wrong with America than can be cured by a better job, decides to part from his family. But he

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tells his mother that she will always be able to find him, at least in a mystical sense. When she wonders when and where she will ever see him again, he offers the following:

> I'll be there ... wherever you look. Wherever there's a fight so hungry people can eat, I'll be there. Wherever there's a cop beating up a guy, I'll be there. I'll be in the way guys yell when they're mad—and I'll be in the way kids laugh when they're hungry an' they know when supper's ready. An' when our people eat the stuff they raise, an' live in the houses they build, why I'll be there too.

Throughout the book and movie, Tom has been a brave but consistently laconic young man, and the sudden burst of rhetoric, most of which has a distinctly (though not quite exclusively) urban flavor, sounds more like Steinbeck's voice than his character's. This reviewer was thrilled to his boots by Tom's speech when he read it in 1939, but a lot of such speeches have been heard since then, and current readers may be more likely to compare this parting to the death of Little Nell in *The Old Curiosity Shop* than to a modern *Marseillaise.*

THE worst natural disaster prior to the Oklahoma Dust Bowl was the Ukrainian famine, which threatened 15 to 20 million Russians with starvation. By 1921, it was clear that outside help was necessary. The American relief effort is said to have saved millions of lives. During the Dust Bowl crisis, some Americans, recalling the Ukrainian famine, urged Washington to provide similar help to our own Okies. Few remembered that the magnificent American aid effort was organized and administered by a man named Herbert Hoover, the same man who, as president, was held responsible by many of his fellow citizens for the origins and persistence of the Great Depression and, perhaps, the Dust Bowl.

While some of the more militant "communicators" discussed by Shindo believed that a top-to-bottom change in the American economic system was necessary to turn the Dust Bowl green and to prevent possible similar disasters in future, it is generally agreed that in the case of the Ukrainian famine, political interference grossly increased the tragedy imposed by the weather. A drought there was, but its impact was made acute by Soviet efforts to reduce the power of the *kulaks* (the wealthier and, presumably, more efficient farmers) who were regarded by the Kremlin as potentially dangerous enemies of communism. A major effort by the American government to

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save the small farmers in Oklahoma would almost surely have adversely affected the state's future agricultural productivity, and the prosperity of its people, by preserving an obsolescent use of Oklahoma's land.

WHAT in conclusion did the Dust Bowl and the Okie emigration do to Oklahoma? While no one should minimize the hardships endured by the migrants in the first year or two of their exile, their departure made possible the consolidation of farm land that, in turn, made possible the use of mechanical agricultural machinery, fertilization, and irrigation. The total value of Oklahoma crops (in unadjusted dollars) rose from $74 million in 1945 to $313 million four years later. The state's wheat production by then ranked third in the Union in value.

Could the federal government have done more to mitigate the hardship of the migrants, perhaps by offering food stamps or constructing more camps for migrants? Such special treatment for Oklahomans was politically difficult when all parts of the nation were suffering from the economic depression. Many quite decent citizens of California, living in the areas to which the Okies moved, complained that their presence depressed wages, already too low, and added to school overcrowding, sanitation problems, and general disorder.

But in fact, after their terrible early experiences, the Okies have done remarkably well in California—although not so much as farmers. Within a year or two after their arrival in California, in 1939 to be precise, war broke out in Europe, and the demand for American production—agricultural and industrial—grew rapidly. Expansion of California's manufacturing activity turned many of the Oklahoma migrants into skilled and semiskilled factory workers. The armed forces inevitably took in the younger migrants as they became qualified.

Finally, looking back at Oklahoma, we find that census figures reveal a consistent movement of the rural Oklahoma population to the state's cities, even while agricultural production rose. That migration within the state raised problems, but nothing so severe as the Dust Bowl.

Here's a story not told by Steinbeck or the other "communicators": the life of one Oklahoma man who lost his store in a bankruptcy proceeding during the Dust Bowl years. The bank hired him to notify farm families that they would be dispossessed for nonpayment of their mortgages. Later, the man's son opened a new store somewhat like his father's but

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emphasizing low prices. Then another and another. His name was Sam Walton, and his stores bear a modified version of his name: Wal-Mart. Although Sam Walton has died, his stores are still opening and are said to constitute the largest retail chain in the country. Their architecture is acknowledged to be disappointing, and their competition against small stores has been merciless, but it would be nice to know how many Americans work for Wal-Mart. It would be even nicer to know how that number compares with the number of Oklahomans who migrated west in the Dust Bowl years of the 1930s.

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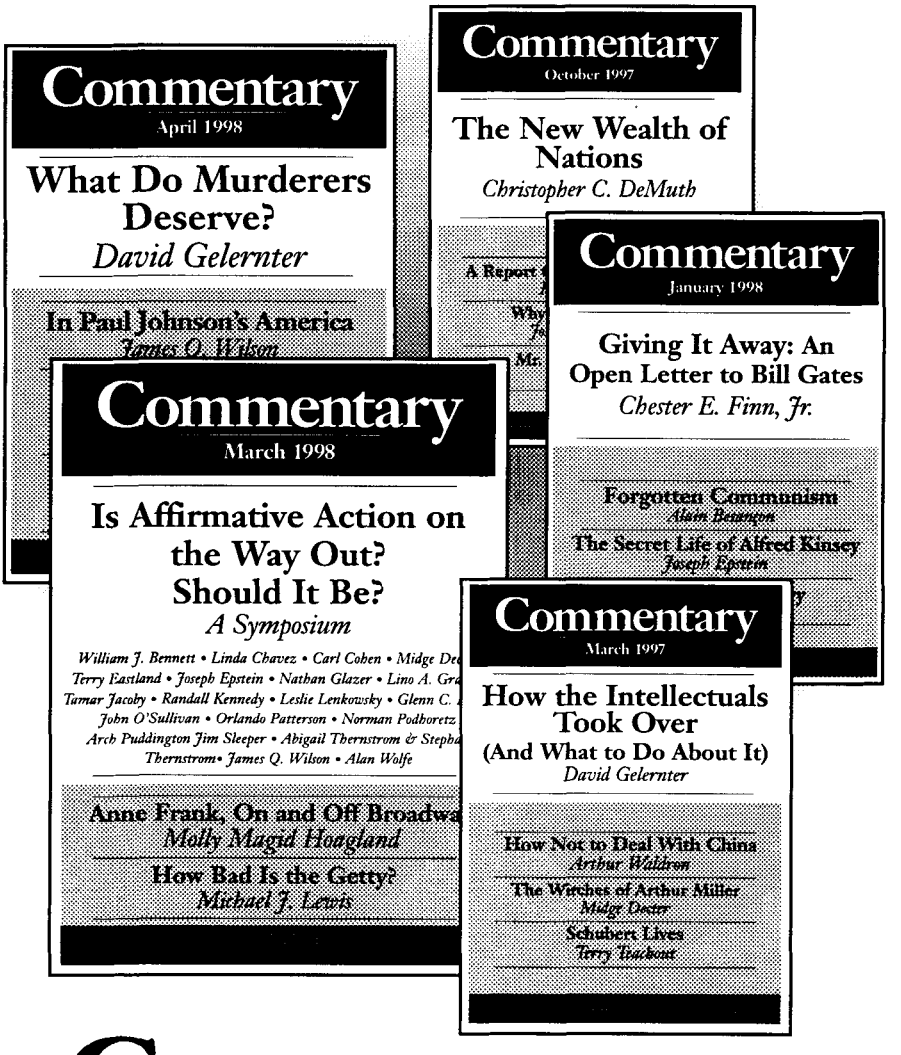
"Nothing like it."

—A.M. Rosenthal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